

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

## A Bill

SENATE BILL 34

4  
5 By: Joint Budget Committee  
6  
7

### For An Act To Be Entitled

8  
9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF  
11 PHYSICAL THERAPY FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 1999; AND FOR OTHER PURPOSES."  
13

### Subtitle

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15 "AN ACT FOR THE ARKANSAS STATE BOARD OF  
16 PHYSICAL THERAPY APPROPRIATION FOR THE  
17 1997-99 BIENNIUM."  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. EXTRA HELP. There is hereby authorized, for the Arkansas  
22 State Board of Physical Therapy for the 1997-99 biennium, the following  
23 maximum number of part-time or temporary employees, to be known as "Extra  
24 Help", payable from funds appropriated herein for such purposes: two (2)  
25 temporary or part-time employees, when needed, at rates of pay not to exceed  
26 those provided in the Uniform Classification and Compensation Act, or its  
27 successor, or this act for the appropriate classification.  
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29 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
30 Arkansas State Board of Physical Therapy, to be payable from cash funds as  
31 defined by Arkansas Code 19-4-801 of the Arkansas State Board of Physical  
32 Therapy, for personal services and operating expenses of the Arkansas State  
33 Board of Physical Therapy for the biennial period ending June 30, 1999, the  
34 following:  
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36 ITEM

FISCAL YEARS

1 <del>NO.</del>	1997-98	1998-99
2 (01) EXTRA HELP	\$ 54,000	\$ 54,000
3 (02) PERSONAL SERV MATCHING	15,587	15,587
4 (03) MAINT. & GEN. OPERATION		
5 (A) OPER. EXPENSE	62,954	62,954
6 (B) CONF. & TRVL.	3,489	3,489
7 (C) PROF. FEES	0	0
8 (D) CAP. OUTLAY	0	0
9 (E) DATA PROC.	0	0
10 TOTAL AMOUNT APPROPRIATED	<u>\$ 136,030</u>	<u>\$ 136,030</u>

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12 SECTION 3. SPECIAL LANGUAGE. No monies collected by the Arkansas State  
 13 Board of Physical Therapy or funds authorized by this Act, shall be disbursed  
 14 except by a member of the State Board of Physical Therapy designated as the  
 15 Board's Disbursing Officer.

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17 SECTION 4. SPECIAL LANGUAGE-EXTRA HELP RESTRICTION. No extra help  
 18 employee of the State Board of Physical Therapy shall be employed for a period  
 19 of time to exceed eighteen hundred hours (1800) in any single fiscal year.

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21 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 22 this Act for Maintenance and General Operation shall be expended in payment  
 23 for services of attorneys, unless the agency shall first make a request in  
 24 writing to the Attorney General of the State of Arkansas to provide the  
 25 required legal services. The Attorney General's Office shall provide the  
 26 requested legal services, or, if the Attorney General's Office shall determine  
 27 that sufficient personnel are not available to provide the requested legal  
 28 services, the Attorney General shall certify the same to the agency and may  
 29 authorize the agency to employ legal counsel and to expend monies appropriated  
 30 for Maintenance and General Operations therefor, if:

31 (1) The Attorney General determines, and certifies in writing, that  
 32 such agency needs the advice or assistance of legal counsel, and

33 (2) The Attorney General consents in writing to the employment of the  
 34 legal counsel to be retained by the agency.

35 Such certification shall be required with respect to each instance of

1 the employment of special legal counsel, or shall be required annually with  
2 respect to legal counsel employed on a retainer basis. A copy of such  
3 certification shall be entered in the official minutes of the agency, and  
4 shall be retained in the fiscal records of the agency for audit purposes.

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6 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
7 authorized by this Act shall be limited to the appropriation for such agency  
8 and funds made available by law for the support of such appropriations; and  
9 the restrictions of the State Purchasing Law, the General Accounting and  
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
11 Procedures and Restrictions Act, or their successors, and other fiscal control  
12 laws of this State, where applicable, and regulations promulgated by the  
13 Department of Finance and Administration, as authorized by law, shall be  
14 strictly complied with in disbursement of said funds.

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16 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General  
17 Assembly that any funds disbursed under the authority of the appropriations  
18 contained in this Act shall be in compliance with the stated reasons for which  
19 this Act was adopted, as evidenced by the Agency Requests, Executive  
20 Recommendations and Legislative Recommendations contained in the budget  
21 manuals prepared by the Department of Finance and Administration, letters, or  
22 summarized oral testimony in the official minutes of the Arkansas Legislative  
23 Council or Joint Budget Committee which relate to its passage and adoption.

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25 SECTION 8. CODE. All provisions of this Act of a general and permanent  
26 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
27 Code Revision Commission shall incorporate the same in the Code.

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29 SECTION 9. SEVERABILITY. If any provision of this Act or the  
30 application thereof to any person or circumstance is held invalid, such  
31 invalidity shall not affect other provisions or applications of the Act which  
32 can be given effect without the invalid provision or application, and to this  
33 end the provisions of this Act are declared to be severable.

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35 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict

1 with this Act are hereby repealed.

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3       SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
4 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
5 prohibits the appropriation of funds for more than a two (2) year period; that  
6 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
7 the agency for which the appropriations in this Act are provided, and that in  
8 the event of an extension of the Regular Session, the delay in the effective  
9 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
10 proper administration and provision of essential governmental programs.  
11 Therefore, an emergency is hereby declared to exist and this Act being  
12 necessary for the immediate preservation of the public peace, health and  
13 safety shall be in full force and effect from and after July 1, 1997.

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