

Stricken language would be deleted from present law. Underlined language would be added to present law.

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

# A Bill

SENATE BILL 59

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 OPERATING EXPENSES FOR THE STATE BOARD OF EXAMINERS IN  
11 COUNSELING FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999;  
12 AND FOR OTHER PURPOSES."

## Subtitle

15 "AN ACT FOR THE STATE BOARD OF EXAMINERS  
16 IN COUNSELING APPROPRIATION FOR THE  
17 1997-99 BIENNIUM."

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
22 Board of Examiners in Counseling for the 1997-99 biennium, the following  
23 maximum number of regular employees whose salaries shall be governed by the  
24 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
25 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
26 Provided, however, that any position to which a specific maximum annual salary  
27 is set out herein in dollars, shall be exempt from the provisions of said  
28 Uniform Classification and Compensation Act. All persons occupying positions  
29 authorized herein are hereby governed by the provisions of the Regular  
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
31 successor.

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees 1997-98 1998-99</del>

1 (1) 7245 COUNSELING BD SECRETARY I 1 \$ 17,533 \$ 18,023  
 2 MAX NO. OF EMPLOYEES 1

3  
 4 SECTION 2. EXTRA HELP. There is hereby authorized, for the State  
 5 Board of Examiners in Counseling for the 1997-99 biennium, the following  
 6 maximum number of part-time or temporary employees, to be known as "Extra  
 7 Help", payable from funds appropriated herein for such purposes: two (2)  
 8 temporary or part-time employees, when needed, at rates of pay not to exceed  
 9 those provided in the Uniform Classification and Compensation Act, or its  
 10 successor, or this act for the appropriate classification.

11  
 12 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State  
 13 Board of Examiners in Counseling, to be payable from cash funds as defined by  
 14 Arkansas Code 19-4-801 of the State Board of Examiners in Counseling, for  
 15 personal services and operating expenses of the State Board of Examiners in  
 16 Counseling for the biennial period ending June 30, 1999, the following:

18 ITEM	19 FISCAL YEARS	
<del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
20 (01) REGULAR SALARIES	\$ 17,533	\$ 18,023
21 (02) EXTRA HELP	14,000	14,000
22 (03) PERSONAL SERV MATCHING	7,188	7,275
23 (04) MAINT. & GEN. OPERATION		
24 (A) OPER. EXPENSE	27,462	28,462
25 (B) CONF. & TRVL.	0	0
26 (C) PROF. FEES	1,540	1,540
27 (D) CAP. OUTLAY	0	0
28 (E) DATA PROC.	0	0
29 (05) TESTING	<u>7,100</u>	<u>7,100</u>
30 TOTAL AMOUNT APPROPRIATED	<u>\$ 74,823</u>	<u>\$ 76,400</u>

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 32 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 33 this Act for Maintenance and General Operation shall be expended in payment  
 34 for services of attorneys, unless the agency shall first make a request in  
 35 writing to the Attorney General of the State of Arkansas to provide the

1 required legal services. The Attorney General's Office shall provide the  
 2 requested legal services, or, if the Attorney General's Office shall determine  
 3 that sufficient personnel are not available to provide the requested legal  
 4 services, the Attorney General shall certify the same to the agency and may  
 5 authorize the agency to employ legal counsel and to expend monies appropriated  
 6 for Maintenance and General Operations therefor, if:

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

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

11 Such certification shall be required with respect to each instance of  
 12 the employment of special legal counsel, or shall be required annually with  
 13 respect to legal counsel employed on a retainer basis. A copy of such  
 14 certification shall be entered in the official minutes of the agency, and  
 15 shall be retained in the fiscal records of the agency for audit purposes.

16  
 17 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
 18 authorized by this Act shall be limited to the appropriation for such agency  
 19 and funds made available by law for the support of such appropriations; and  
 20 the restrictions of the State Purchasing Law, the General Accounting and  
 21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 22 Procedures and Restrictions Act, or their successors, and other fiscal control  
 23 laws of this State, where applicable, and regulations promulgated by the  
 24 Department of Finance and Administration, as authorized by law, shall be  
 25 strictly complied with in disbursement of said funds.

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 27 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
 28 Assembly that any funds disbursed under the authority of the appropriations  
 29 contained in this Act shall be in compliance with the stated reasons for which  
 30 this Act was adopted, as evidenced by the Agency Requests, Executive  
 31 Recommendations and Legislative Recommendations contained in the budget  
 32 manuals prepared by the Department of Finance and Administration, letters, or  
 33 summarized oral testimony in the official minutes of the Arkansas Legislative  
 34 Council or Joint Budget Committee which relate to its passage and adoption.

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1 SECTION 7. CODE. All provisions of this Act of a general and permanent  
2 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
3 Code Revision Commission shall incorporate the same in the Code.

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5 SECTION 8. SEVERABILITY. If any provision of this Act or the  
6 application thereof to any person or circumstance is held invalid, such  
7 invalidity shall not affect other provisions or applications of the Act which  
8 can be given effect without the invalid provision or application, and to this  
9 end the provisions of this Act are declared to be severable.

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11 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict  
12 with this Act are hereby repealed.

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

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