

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

SENATE BILL 79

4  
5 By: Joint Budget Committee  
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## For An Act To Be Entitled

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9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE STATE BOARD OF  
11 EXAMINERS IN COUNSELING FOR THE BIENNIAL PERIOD ENDING  
12 JUNE 30, 2001; AND FOR OTHER PURPOSES."

## Subtitle

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15 "AN ACT FOR THE STATE BOARD OF EXAMINERS  
16 IN COUNSELING APPROPRIATION FOR THE  
17 1999-2001 BIENNIUM."  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
23 Board of Examiners in Counseling for the 1999-2001 biennium, the following  
24 maximum number of regular employees whose salaries shall be governed by the  
25 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
26 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
27 Provided, however, that any position to which a specific maximum annual salary  
28 is set out herein in dollars, shall be exempt from the provisions of said  
29 Uniform Classification and Compensation Act. All persons occupying positions  
30 authorized herein are hereby governed by the provisions of the Regular  
31 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
32 successor.  
33

		Maximum Annual
	Maximum	Salary Rate
Item Class	No. of	Fiscal Years

\*KCA012\*

No.	Code	Title	Employees	1999-2000	2000-2001
(1)	7245	COUNSELING BD SECRETARY I	2	\$18,960	\$19,490
		MAX. NO. OF EMPLOYEES	2		

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Examiners in Counseling for the 1999-2001 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State Board of Examiners in Counseling, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the State Board of Examiners in Counseling, for personal services and operating expenses of the State Board of Examiners in Counseling for the biennial period ending June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 37,920	\$ 38,980
(02) EXTRA HELP	19,000	19,000
(03) PERSONAL SERV MATCHING	14,626	14,814
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	57,160	60,960
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	12,000	14,000
(D) CAP. OUTLAY	7,000	7,000
(E) DATA PROC.	5,000	5,000
(05) TESTING	5,000	5,000
TOTAL AMOUNT APPROPRIATED	<u>\$ 157,706</u>	<u>\$ 164,754</u>

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INVESTMENT OPTIONS. The agency, board or commission, to which appropriation in this Act is made, shall consider all possible options available in investing cash fund

1 balances for which it is responsible. Such options investigated shall  
2 specifically include the provisions of the Treasury Management Trust Fund  
3 option beginning at Arkansas Code 19-3-602. In the event that the Treasury  
4 Management Trust Fund option is not selected, the agency, board, or commission  
5 shall report to the State Board of Finance the option selected and the  
6 additional benefits accruing by selecting a different option.

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8 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this  
9 Act for Maintenance and General Operation shall be expended in payment for  
10 services of attorneys, unless the agency shall first make a request in writing  
11 to the Attorney General of the State of Arkansas to provide the required legal  
12 services. The Attorney General's Office shall provide the requested legal  
13 services, or, if the Attorney General's Office shall determine that sufficient  
14 personnel are not available to provide the requested legal services, the  
15 Attorney General shall certify the same to the agency and may authorize the  
16 agency to employ legal counsel and to expend monies appropriated for  
17 Maintenance and General Operations therefor, if:

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

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

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

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28 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
29 this act shall be limited to the appropriation for such agency and funds made  
30 available by law for the support of such appropriations; and the restrictions  
31 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
32 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
33 Restrictions Act, or their successors, and other fiscal control laws of this  
34 State, where applicable, and regulations promulgated by the Department of  
35 Finance and Administration, as authorized by law, shall be strictly complied  
36 with in disbursement of said funds.

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2 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
3 that any funds disbursed under the authority of the appropriations contained  
4 in this act shall be in compliance with the stated reasons for which this act  
5 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
6 and Legislative Recommendations contained in the budget manuals prepared by  
7 the Department of Finance and Administration, letters, or summarized oral  
8 testimony in the official minutes of the Arkansas Legislative Council or Joint  
9 Budget Committee which relate to its passage and adoption.

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

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15 SECTION 9. SEVERABILITY. If any provision of this act or the application  
16 thereof to any person or circumstance is held invalid, such invalidity shall  
17 not affect other provisions or applications of the act which can be given  
18 effect without the invalid provision or application, and to this end the  
19 provisions of this act are declared to be severable.

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21 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict with  
22 this act are hereby repealed.

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24 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
25 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
26 prohibits the appropriation of funds for more than a two (2) year period; that  
27 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
28 the agency for which the appropriations in this Act are provided, and that in  
29 the event of an extension of the Regular Session, the delay in the effective  
30 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
31 proper administration and provision of essential governmental programs.  
32 Therefore, an emergency is hereby declared to exist and this Act being  
33 necessary for the immediate preservation of the public peace, health and  
34 safety shall be in full force and effect from and after July 1, 1999.