

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

SENATE BILL 111

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

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF
11 PHYSICAL THERAPY FOR THE BIENNIAL PERIOD ENDING JUNE
12 30, 2003; AND FOR OTHER PURPOSES.
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Subtitle

15 AN ACT FOR THE ARKANSAS STATE BOARD
16 OF PHYSICAL THERAPY APPROPRIATION
17 FOR THE 2001-2003 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
24 State Board of Physical Therapy for the 2001-2003 biennium, the following
25 maximum number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual salary
29 is set out herein in dollars, shall be exempt from the provisions of said
30 Uniform Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
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Maximum Annual

Item Class	Maximum No. of Employees	Salary Rate Fiscal Years
No. Code Title	Empl oyees	2001-2002 2002-2003
(1) 9044 PHYSICAL THERAPY EXECUTIVE DIRECTOR	1	\$51,329 \$52,663
(2) 9045 PHYSICAL THERAPY ADMIN ASST	<u>1</u>	\$27,702 \$28,422
MAX. NO. OF EMPLOYEES	2	

SECTION 2. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to the Arkansas State Board of Physical Therapy, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas State Board of Physical Therapy, for personal services and operating expenses of the Arkansas State Board of Physical Therapy for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 79,031	\$ 81,085
(02) PERSONAL SERV MATCHING	19,924	20,288
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	87,033	87,033
(B) CONF. & TRAVEL	3,489	3,489
(C) PROF. FEES	2,000	2,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 191,477</u>	<u>\$ 193,895</u>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISBURSEMENT OF FUNDS. No monies collected by the Arkansas State Board of Physical Therapy or funds authorized by this Act, shall be disbursed except by a member of the State Board of Physical Therapy designated as the Board's Disbursing Officer.

SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all

1 appropriations as provided in this Act, the agency disbursing officer shall
 2 monitor the level of fund balances in relation to expenditures on a monthly
 3 basis. If any proposed expenditures would cause a fund balance to decline to
 4 less than fifty percent (50%) of the balance available on July 1, 2001, the
 5 disbursing officer shall immediately notify the executive head of the agency.

6 Prior to any obligations being made under these circumstances, the agency
 7 head shall file written documentation with the Chief Fiscal Officer of the
 8 State requesting approval of the expenditures. Such documentation shall
 9 provide sufficient financial data to justify the expenditures and shall
 10 include the following:

- 11 1) a plan that clearly indicates the specific fiscal impact of such
 12 expenditures on the fund balance.
- 13 2) information clearly indicating and explaining what programs would be cut or
 14 any other measures to be taken by the agency to restore the fund balance.
- 15 3) the extent to which any of the planned expenditures are for one-time costs
 16 or one-time purchase of capitalized items.
- 17 4) a statement certifying that the expenditure of fund balances will not
 18 jeopardize the financial health of the agency, nor result in a permanent
 19 depletion of the fund balance.

20 (B) The Chief Fiscal Officer of the State shall review the request and
 21 approve or disapprove all or any part of the request, after having sought
 22 prior review by the Legislative Council.

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

- 34 (1) The Attorney General determines, and certifies in writing, that such
 35 agency needs the advice or assistance of legal counsel, and
- 36 (2) The Attorney General consents in writing to the employment of the

1 legal counsel to be retained by the agency.

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

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

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

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 27 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
 28 Assembly, that the Constitution of the State of Arkansas prohibits the
 29 appropriation of funds for more than a two (2) year period; that the
 30 effectiveness of this Act on July 1, 2001 is essential to the operation of the
 31 agency for which the appropriations in this Act are provided, and that in the
 32 event of an extension of the Regular Session, the delay in the effective date
 33 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
 34 administration and provision of essential governmental programs. Therefore, an
 35 emergency is hereby declared to exist and this Act being necessary for the
 36 immediate preservation of the public peace, health and safety shall be in full

1 force and effect from and after July 1, 2001.
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