

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.

State of Arkansas
83rd General Assembly
Regular Session, 2001

A Bill

SENATE BILL 219

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF
EXAMINERS IN PSYCHOLOGY FOR THE BIENNIAL PERIOD ENDING
JUNE 30, 2003; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS BOARD OF
EXAMINERS IN PSYCHOLOGY APPROPRIATION
FOR THE 2001-2003 BIENNIAL PERIOD.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas Board of Examiners in Psychology for the 2001-2003 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

	Maximum Annual
Maximum	Salary Rate

Item Class	No. of	Fiscal Years
No. Code Title	Employees	2001-2002 2002-2003
(1) 7204 BD OF PSYCHOLOGY EXEC SECRETARY	1	\$32,167 \$33,003
(2) 7244 BD OF PSYCHOLOGY ADMIN ASST	1	\$28,477 \$29,217
MAX. NO. OF EMPLOYEES	2	

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

ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 60,644	\$ 62,220
(02) PERSONAL SERV MATCHING	16,670	16,948
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	49,616	49,616
(B) CONF. & TRAVEL	4,000	4,000
(C) PROF. FEES	25,863	25,863
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) TESTING	18,000	18,000
TOTAL AMOUNT APPROPRIATED	\$ 174,793	\$ 176,647

SECTION 3. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall

1 include the following:

2 1) a plan that clearly indicates the specific fiscal impact of such
 3 expenditures on the fund balance.

4 2) information clearly indicating and explaining what programs would be cut or
 5 any other measures to be taken by the agency to restore the fund balance.

6 3) the extent to which any of the planned expenditures are for one-time costs
 7 or one-time purchase of capitalized items.

8 4) a statement certifying that the expenditure of fund balances will not
 9 jeopardize the financial health of the agency, nor result in a permanent
 10 depletion of the fund balance.

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

14
 15 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this
 16 Act for Maintenance and General Operation shall be expended in payment for
 17 services of attorneys, unless the agency shall first make a request in writing
 18 to the Attorney General of the State of Arkansas to provide the required legal
 19 services. The Attorney General's Office shall provide the requested legal
 20 services, or, if the Attorney General's Office shall determine that sufficient
 21 personnel are not available to provide the requested legal services, the
 22 Attorney General shall certify the same to the agency and may authorize the
 23 agency to employ legal counsel and to expend monies appropriated for
 24 Maintenance and General Operations therefor, if:

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

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

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

34
 35 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
 36 this act shall be limited to the appropriation for such agency and funds made

1 available by law for the support of such appropriations; and the restrictions
2 of the State Purchasing Law, the General Accounting and Budgetary Procedures
3 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
4 Restrictions Act, or their successors, and other fiscal control laws of this
5 State, where applicable, and regulations promulgated by the Department of
6 Finance and Administration, as authorized by law, shall be strictly complied
7 with in disbursement of said funds.

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

17
18 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
19 Assembly, that the Constitution of the State of Arkansas prohibits the
20 appropriation of funds for more than a two (2) year period; that the
21 effectiveness of this Act on July 1, 2001 is essential to the operation of the
22 agency for which the appropriations in this Act are provided, and that in the
23 event of an extension of the Regular Session, the delay in the effective date
24 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
25 administration and provision of essential governmental programs. Therefore, an
26 emergency is hereby declared to exist and this Act being necessary for the
27 immediate preservation of the public peace, health and safety shall be in full
28 force and effect from and after July 1, 2001.