

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S4/6/09
A Bill

SENATE BILL 46

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

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL
12 YEAR ENDING JUNE 30, 2010; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS STATE BOARD OF
17 PHYSICAL THERAPY APPROPRIATION FOR THE
18 2009-2010 FISCAL YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
25 State Board of Physical Therapy for the 2009-2010 fiscal year, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
35

36 Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2009-2010
4	(1) X050C	PHYSICAL THERAPY BD EXEC DIR	1	GRADE C120
5	(2) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
6		MAX. NO. OF EMPLOYEES	2	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas State Board of Physical Therapy for the 2009-2010 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) 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 - 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 fiscal year ending June 30, 2010, the following:

ITEM NO.		FISCAL YEAR 2009-2010
25	(01) REGULAR SALARIES	\$ 97,906
26	(02) EXTRA HELP	5,000
27	(03) PERSONAL SERVICES MATCHING	28,691
28	(04) MAINT. & GEN. OPERATION	
29	(A) OPER. EXPENSE	89,833
30	(B) CONF. & TRAVEL	3,489
31	(C) PROF. FEES	41,000
32	(D) CAP. OUTLAY	0
33	(E) DATA PROC.	<u>0</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 265,919</u>

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 PROFESSIONAL FEES. Twenty-five thousand dollars (\$25,000) of the available
3 appropriation in the Professional Fees Line Item of this Act shall be made
4 available to the board for the purpose of contracting an independent or
5 private investigator to perform any investigative task as needed or may be
6 required by law. Physical Therapy board members may not act as investigators
7 nor do investigative work required by the board.

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

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

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

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

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

1 strictly complied with in disbursement of said funds.

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

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12 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
13 Assembly, that the Constitution of the State of Arkansas prohibits the
14 appropriation of funds for more than a one (1) year period; that the
15 effectiveness of this Act on July 1, 2009 is essential to the operation of
16 the agency for which the appropriations in this Act are provided, and that in
17 the event of an extension of the Regular Session, the delay in the effective
18 date of this Act beyond July 1, 2009 could work irreparable harm upon the
19 proper administration and provision of essential governmental programs.
20 Therefore, an emergency is hereby declared to exist and this Act being
21 necessary for the immediate preservation of the public peace, health and
22 safety shall be in full force and effect from and after July 1, 2009.

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24 /s/ Joint Budget Committee
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