

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

A Bill

HOUSE BILL 1128

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD
10 OF CHIROPRACTIC EXAMINERS FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2017; AND FOR OTHER PURPOSES.
12
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Subtitle

14 AN ACT FOR THE ARKANSAS STATE BOARD OF
15 CHIROPRACTIC EXAMINERS APPROPRIATION FOR
16 THE 2016-2017 FISCAL YEAR.
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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 - OPERATIONS. There is hereby established
23 for the Arkansas State Board of Chiropractic Examiners for the 2016-2017
24 fiscal year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
30	(1) X087C	ASBCE EXECUTIVE DIRECTOR	1	GRADE C118
31	(2) C037C	ADMINISTRATIVE ANALYST	<u>1</u>	GRADE C115
32		MAX. NO. OF EMPLOYEES	2	

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34 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
35 to the Arkansas State Board of Chiropractic Examiners, to be payable from the
36 cash fund deposited in the State Treasury as determined by the Chief Fiscal



1 Officer of the State, for personal services and operating expenses of the
 2 Arkansas State Board of Chiropractic Examiners for the fiscal year ending
 3 June 30, 2017, the following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2016-2017</u>
7 (01) REGULAR SALARIES	\$89,069
8 (02) PERSONAL SERVICES MATCHING	31,244
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	63,236
11 (B) CONF. & TRAVEL	3,746
12 (C) PROF. FEES	21,500
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u><u>\$208,795</u></u>

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17 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 19 INVESTIGATIVE SERVICES FOR CONSUMER COMPLAINTS. Ten thousand dollars
 20 (\$10,000) of the available appropriation in the Professional Fees Line item
 21 of this act shall be made available to the board for the purpose of
 22 contracting an independent or private investigator for investigative services
 23 regarding complaints submitted by consumers.

24 The provisions of this section shall be in effect only from July 1, ~~2015~~
 25 2016 through June 30, ~~2016~~ 2017.

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27 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 28 this Act for Maintenance and General Operation shall be expended in payment
 29 for services of attorneys, unless the agency shall first make a request in
 30 writing to the Attorney General of the State of Arkansas to provide the
 31 required legal services. The Attorney General's Office shall provide the
 32 requested legal services, or, if the Attorney General's Office shall
 33 determine that sufficient personnel are not available to provide the
 34 requested legal services, the Attorney General shall certify the same to the
 35 agency and may authorize the agency to employ legal counsel and to expend
 36 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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

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

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30 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
31 Assembly, that the Constitution of the State of Arkansas prohibits the
32 appropriation of funds for more than a one (1) year period; that the
33 effectiveness of this Act on July 1, 2016 is essential to the operation of
34 the agency for which the appropriations in this Act are provided, and that in
35 the event of an extension of the legislative session, the delay in the
36 effective date of this Act beyond July 1, 2016 could work irreparable harm

1 upon the proper administration and provision of essential governmental
2 programs. Therefore, an emergency is hereby declared to exist and this Act
3 being necessary for the immediate preservation of the public peace, health
4 and safety shall be in full force and effect from and after July 1, 2016.

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