

State of Arkansas
90th General Assembly
Fiscal Session, 2016

A Bill

SENATE BILL 94

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 STATE BOARD
OF PHYSICAL THERAPY FOR THE FISCAL YEAR ENDING JUNE
30, 2017; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS STATE BOARD OF
PHYSICAL THERAPY APPROPRIATION FOR THE
2016-2017 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the
Arkansas State Board of Physical Therapy for the 2016-2017 fiscal year, the
following maximum number of regular employees.

			Maximum Annual
			Salary Rate
Item	Class	Maximum	Fiscal Year
No.	Code Title	No. of	2016-2017
		Employees	
(1)	X050C PHYSICAL THERAPY BD EXEC DIR	1	GRADE C120
(2)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
	MAX. NO. OF EMPLOYEES	2	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
State Board of Physical Therapy for the 2016-2017 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. APPROPRIATION. 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, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$91,891
(02) EXTRA HELP	5,000
(03) PERSONAL SERVICES MATCHING	30,816
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	89,833
(B) CONF. & TRAVEL	3,489
(C) PROF. FEES	41,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$262,029</u></u>

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

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

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

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

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

15 Such certification shall be required with respect to each instance of
16 the employment of special legal counsel, or shall be required annually with
17 respect to legal counsel employed on a retainer basis. A copy of such
18 certification shall be entered in the official minutes of the agency, and
19 shall be retained in the fiscal records of the agency for audit purposes.
20

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

31 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this act shall be in compliance with the stated reasons for
34 which this act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget
36 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

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4 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a one (1) year period; that the
7 effectiveness of this Act on July 1, 2016 is essential to the operation of
8 the agency for which the appropriations in this Act are provided, and that in
9 the event of an extension of the legislative session, the delay in the
10 effective date of this Act beyond July 1, 2016 could work irreparable harm
11 upon the proper administration and provision of essential governmental
12 programs. Therefore, an emergency is hereby declared to exist and this Act
13 being necessary for the immediate preservation of the public peace, health
14 and safety shall be in full force and effect from and after July 1, 2016.