

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 39

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
10 STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2012; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS STATE BOARD OF
16 PHYSICAL THERAPY APPROPRIATION FOR THE
17 2011-2012 FISCAL YEAR.
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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
24 Arkansas State Board of Physical Therapy for the 2011-2012 fiscal year, the
25 following maximum number of regular employees.
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Item	Class	Title	Maximum No. of Employees	Maximum Annual
				Salary Rate Fiscal Year
No.	Code			2011-2012
(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	

35 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
36 State Board of Physical Therapy for the 2011-2012 fiscal year, the following



1 maximum number of part-time or temporary employees, to be known as "Extra
 2 Help", payable from funds appropriated herein for such purposes: one (1)
 3 temporary or part-time employees, when needed, at rates of pay not to exceed
 4 those provided in the Uniform Classification and Compensation Act, or its
 5 successor, or this act for the appropriate classification.

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 7 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 8 to the Arkansas State Board of Physical Therapy, to be payable from cash
 9 funds as defined by Arkansas Code 19-4-801 of the Arkansas State Board of
 10 Physical Therapy, for personal services and operating expenses of the
 11 Arkansas State Board of Physical Therapy for the fiscal year ending June 30,
 12 2012, the following:

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2011-2012</u>
16 (01) REGULAR SALARIES	\$88,265
17 (02) EXTRA HELP	5,000
18 (03) PERSONAL SERVICES MATCHING	27,177
19 (04) MAINT. & GEN. OPERATION	
20 (A) OPER. EXPENSE	89,833
21 (B) CONF. & TRAVEL	3,489
22 (C) PROF. FEES	41,000
23 (D) CAP. OUTLAY	0
24 (E) DATA PROC.	<u>0</u>
25 TOTAL AMOUNT APPROPRIATED	<u><u>\$254,764</u></u>

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

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 36 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in

1 this Act for Maintenance and General Operation shall be expended in payment
2 for services of attorneys, unless the agency shall first make a request in
3 writing to the Attorney General of the State of Arkansas to provide the
4 required legal services. The Attorney General's Office shall provide the
5 requested legal services, or, if the Attorney General's Office shall
6 determine that sufficient personnel are not available to provide the
7 requested legal services, the Attorney General shall certify the same to the
8 agency and may authorize the agency to employ legal counsel and to expend
9 monies appropriated for Maintenance and General Operations therefor, if:

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

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

14 Such certification shall be required with respect to each instance of
15 the employment of special legal counsel, or shall be required annually with
16 respect to legal counsel employed on a retainer basis. A copy of such
17 certification shall be entered in the official minutes of the agency, and
18 shall be retained in the fiscal records of the agency for audit purposes.
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20 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
21 authorized by this act shall be limited to the appropriation for such agency
22 and funds made available by law for the support of such appropriations; and
23 the restrictions of the State Procurement Law, the General Accounting and
24 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
25 Procedures and Restrictions Act, or their successors, and other fiscal
26 control laws of this State, where applicable, and regulations promulgated by
27 the Department of Finance and Administration, as authorized by law, shall be
28 strictly complied with in disbursement of said funds.
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30 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
31 Assembly that any funds disbursed under the authority of the appropriations
32 contained in this act shall be in compliance with the stated reasons for
33 which this act was adopted, as evidenced by the Agency Requests, Executive
34 Recommendations and Legislative Recommendations contained in the budget
35 manuals prepared by the Department of Finance and Administration, letters, or
36 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

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SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2011 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2011 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2011.