

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

ACT 29 OF 1993
SENATE BILL 105

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE BOARD OF HEARING AID
10 DISPENSERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1995;
11 AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE STATE BOARD OF HEARING AID DISPENSERS
15 APPROPRIATION."

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

20 SECTION 1. EXTRA HELP. There is hereby authorized, for the State
21 Board of Hearing Aid Dispensers for the 1993-95 biennium, the following
22 maximum number of part-time or temporary employees, to be known as "Extra
23 Help", payable from funds appropriated herein for such purposes: one (1)
24 temporary or part-time employees, when needed, at rates of pay not to exceed
25 those provided in the Uniform Classification and Compensation Act, or its
26 successor, or this act for the appropriate classification.

28 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State
29 Board of Hearing Aid Dispensers, to be payable from cash funds as defined by
30 Arkansas Code 19-4-801 of the State Board of Hearing Aid Dispensers, for
31 personal services and operating expenses of the State Board of Hearing Aid
32 Dispensers for the biennial period ending June 30, 1995, the following:

34 ITEM	35 FISCAL YEARS	
	1993-94	1994-95
36 (01) EXTRA HELP	\$ 9,000	\$ 9,000

1	(02)	PERSONAL SERV MATCHING		689		689
2	(03)	MAINT. & GEN. OPERATION				
3	(A)	OPER. EXPENSES	\$ 10,300	\$	10,300	
4	(B)	CONF. & TRAVEL	600		600	
5	(C)	PROF. FEES	1,200		1,200	
6	(D)	CAPITAL OUTLAY	0		0	
7	(E)	DATA PROCESSING	<u>0</u>		<u>0</u>	
8		TOTAL MAINT. & GEN. OPER.			<u>12,100</u>	<u>12,100</u>
9		TOTAL AMOUNT APPROPRIATED			<u>\$ 21,789</u>	<u>\$ 21,789</u>

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12 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
13 this Act for Maintenance and General Operation shall be expended in payment
14 for services of attorneys, unless the agency shall first make a request in
15 writing to the Attorney General of the State of Arkansas to provide the
16 required legal services. The Attorney General's Office shall provide the
17 requested legal services, or, if the Attorney General's Office shall determine
18 that sufficient personnel are not available to provide the requested legal
19 services, the Attorney General shall certify the same to the agency and may
20 authorize the agency to employ legal counsel and to expend monies appropriated
21 for Maintenance and General Operations therefor, if:

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

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

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

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32 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
33 authorized by this Act shall be limited to the appropriation for such agency
34 and funds made available by law for the support of such appropriations; and
35 the restrictions of the State Purchasing Law, the General Accounting and

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

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

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16 SECTION 6. CODE. All provisions of this Act of a general and permanent
17 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
18 Code Revision Commission shall incorporate the same in the Code.

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20 SECTION 7. SEVERABILITY. If any provision of this Act or the
21 application thereof to any person or circumstance is held invalid, such
22 invalidity shall not affect other provisions or applications of the Act which
23 can be given effect without the invalid provision or application, and to this
24 end the provisions of this Act are declared to be severable.

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26 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
27 with this Act are hereby repealed.

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29 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
30 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
31 prohibits the appropriation of funds for more than a two (2) year period; that
32 the effectiveness of this Act on July 1, 1993 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the Regular Session, the delay in the effective
35 date of this Act beyond July 1, 1993 could work irreparable harm upon the

1 proper administration and provision of essential governmental programs.
2 Therefore, an emergency is hereby declared to exist and this Act being
3 necessary for the immediate preservation of the public peace, health and
4 safety shall be in full force and effect from and after July 1, 1993.

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APPROVED: 2/4/93

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