

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
9 FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - REVENUE
10 BUILDING COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE
11 30, 1993; AND FOR OTHER PURPOSES."

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

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15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
16 Department of Finance and Administration - Revenue Building Commission, to be
17 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department
18 of Finance and Administration - Revenue Building Commission, for operating
19 expenses of the Department of Finance and Administration - Revenue Building
20 Commission for the biennial period ending June 30, 1993, the following:

22 ITEM	FISCAL YEARS	
23 NO.	1991-92	1992-93
24 (01) MAINTENANCE & GENERAL OPERATIONS		
25 (A) OPER. EXPENSES	\$ 14,351	\$14,351
26 (B) CONF. & TRAVEL	1,258	1,258
27 (C) PROF. FEES	0	0
28 (D) CAPITAL OUTLAY	0	0
29 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
30 TOTAL MAINT. & GEN. OPERATIONS	15,609	15,609
31 (02) TRANSFER TO STATE TREASURER	1,000,000	1,000,000
32 (03) DEBT RETIREMENT-PRINCIPAL	500,000	500,000
33 (04) DEBT RETIREMENT-INTEREST	293,000	293,000
34 (05) PAYING AGENT'S FEE	<u>3,000</u>	<u>3,000</u>
35 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,811,609</u>	<u>\$ 1,811,609</u>

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

- (1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and
- (2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency.

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

SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this Act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.

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6 SECTION 5. CODE. All provisions of this Act of a general and permanent
7 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
8 Code Revision Commission shall incorporate the same in the Code.

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10 SECTION 6. SEVERABILITY. If any provision of this Act or the
11 application thereof to any person or circumstance is held invalid, such
12 invalidity shall not affect other provisions or applications of the Act which
13 can be given effect without the invalid provision or application, and to this
14 end the provisions of this Act are declared to be severable.

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16 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict
17 with this Act are hereby repealed.

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19 SECTION 8. HEALTH PREMIUMS. The Department of Finance and
20 Administration - Revenue Building Commission shall not, during the 1992-93
21 fiscal year, spend more for health insurance per employee than the amount
22 being contributed to the State Employees Health Insurance Program.

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24 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
25 Seventy-Eighth General Assembly, that the Constitution of the State of
26 Arkansas prohibits the appropriation of funds for more than a two (2) year
27 period; that the effectiveness of this Act on July 1, 1991 is essential to the
28 operation of the agency for which the appropriations in this Act are provided,
29 and that in the event of an extension of the Regular Session, the delay in the
30 effective date of this Act beyond July 1, 1991 could work irreparable harm
31 upon the proper administration and provision of essential governmental
32 programs. Therefore, an emergency is hereby declared to exist and this Act
33 being necessary for the immediate preservation of the public peace, health and
34 safety shall be in full force and effect from and after July 1, 1991.

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