

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 OF
9 THE STATE PODIATRY EXAMINERS BOARD FOR THE BIENNIAL PERIOD
10 ENDING JUNE 30, 1993; AND FOR OTHER PURPOSES."

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

15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the State
16 Podiatry Examiners Board, to be payable from cash funds as defined by Arkansas
17 Code 19-4-801 of the State Podiatry Examiners Board, for operating expenses of
18 the State Podiatry Examiners Board for the biennial period ending June 30,
19 1993, the following:

21 ITEM	FISCAL YEARS	
22 NO.	1991-92	1992-93
23 (01) MAINT. & GEN. OPERATION		
24 (A) OPER. EXPENSES	\$ 3,364	\$ 3,559
25 (B) CONF. & TRAVEL	0	0
26 (C) PROF. FEES	0	0
27 (D) CAPITAL OUTLAY	0	0
28 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
29 TOTAL MAINT. & GEN. OPER.	<u>\$ 3,364</u>	<u>\$ 3,559</u>
30 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,364</u>	<u>\$ 3,559</u>

32 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
33 this Act for Maintenance and General Operation shall be expended in payment
34 for services of attorneys, unless the agency shall first make a request in
35 writing to the Attorney General of the State of Arkansas to provide the

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1 required legal services. The Attorney General's Office shall provide the
2 requested legal services, or, if the Attorney General's Office shall determine
3 that sufficient personnel are not available to provide the requested legal
4 services, the Attorney General shall certify the same to the agency and may
5 authorize the agency to employ legal counsel and to expend monies appropriated
6 for Maintenance and General Operations therefor, if:

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

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

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

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

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27 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
28 Assembly that any funds disbursed under the authority of the appropriations
29 contained in this Act shall be in compliance with the stated reasons for which
30 this Act was adopted, as evidenced by the Agency Requests, Executive
31 Recommendations and Legislative Recommendations contained in the budget
32 manuals prepared by the Department of Finance and Administration, letters, or
33 summarized oral testimony in the official minutes of the Arkansas Legislative
34 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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14 SECTION 8. HEALTH PREMIUMS. The State Podiatry Examiners Board shall
15 not, during the 1992-93 fiscal year, spend more for health insurance per
16 employee than the amount being contributed to the State Employees Health
17 Insurance Program.

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

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