

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

# A Bill

**SENATE BILL**

## 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, 1993;  
11 AND FOR OTHER PURPOSES."

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

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15 SECTION 1. EXTRA HELP. There is hereby authorized, for the State  
16 Board of Hearing Aid Dispensers for the 1991-93 biennium, the following  
17 maximum number of part-time or temporary employees, to be known as "Extra  
18 Help", payable from funds appropriated herein for such purposes: two (2)  
19 temporary or part-time employees, when needed, at rates of pay not to exceed  
20 those provided in the Uniform Classification and Compensation Act, or its  
21 successor, for the appropriate classification.

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23 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State  
24 Board of Hearing Aid Dispensers, to be payable from cash funds as defined by  
25 Arkansas Code 19-4-801 of the State Board of Hearing Aid Dispensers, for  
26 personal services and operating expenses of the State Board of Hearing Aid  
27 Dispensers for the biennial period ending June 30, 1993, the following:

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ITEM		FISCAL YEARS	
NO.		1991-92	1992-93
(01)	EXTRA HELP	\$ 9,000	\$ 9,000
(02)	PERSONAL SERV MATCHING	688	688
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSES	\$ 10,300	\$ 10,300
(B)	CONF. & TRAVEL	600	600

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1	(C) PROF. FEES	1,200	1,200
2	(D) CAPITAL OUTLAY	0	0
3	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
4	TOTAL MAINT. & GEN. OPER.		<u>12,100</u> <u>12,100</u>
5	TOTAL AMOUNT APPROPRIATED		<u>\$ 21,788</u> <u>\$ 21,788</u>

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

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

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

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

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27 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
28 authorized by this Act shall be limited to the appropriation for such agency  
29 and funds made available by law for the support of such appropriations; and  
30 the restrictions of the State Purchasing Law, the General Accounting and  
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
32 Procedures and Restrictions Act, or their successors, and other fiscal control  
33 laws of this State, where applicable, and regulations promulgated by the  
34 Department of Finance and Administration, as authorized by law, shall be  
35 strictly complied with in disbursement of said funds.

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

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

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

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

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24           SECTION 9. HEALTH PREMIUMS. The State Board of Hearing Aid Dispensers  
25 shall not, during the 1992-93 fiscal year, spend more for health insurance per  
26 employee than the amount being contributed to the State Employees Health  
27 Insurance Program.

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29           SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
30 Seventy-Eighth General Assembly, that the Constitution of the State of  
31 Arkansas prohibits the appropriation of funds for more than a two (2) year  
32 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
33 operation of the agency for which the appropriations in this Act are provided,  
34 and that in the event of an extension of the Regular Session, the delay in the  
35 effective date of this Act beyond July 1, 1991 could work irreparable harm

1 upon the proper administration and provision of essential governmental  
2 programs. Therefore, an emergency is hereby declared to exist and this Act  
3 being 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, 1991.

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