

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Wingfield**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

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

## Subtitle

14 "AN ACT FOR THE BOARD OF ORIENTAL MEDICINE APPROPRIATION."

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

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

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

32 ITEM	32 FISCAL YEARS	
33 NO.	1993-94	1994-95
34 (01) EXTRA HELP	\$ 10,000	\$ 10,000
35 (02) PERSONAL SERVICES MATCHING	765	765

1	(03) MAINTENANCE & GENERAL OPERATIONS		
2	(A) OPER. EXPENSES	\$ 15,000	\$ 15,000
3	(B) CONF. & TRAVEL	0	0
4	(C) PROF. FEES	0	0
5	(D) CAPITAL OUTLAY	0	0
6	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
7	TOTAL MAINT. & GEN. OPERATIONS		<u>15,000</u> <u>15,000</u>
8	TOTAL AMOUNT APPROPRIATED		<u>\$ 25,765</u> <u>\$ 25,765</u>

9

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

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

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

29

30 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
31 authorized by this Act shall be limited to the appropriation for such agency  
32 and funds made available by law for the support of such appropriations; and  
33 the restrictions of the State Purchasing Law, the General Accounting and  
34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
35 Procedures and Restrictions Act, or their successors, and other fiscal control

1 laws of this State, where applicable, and regulations promulgated by the  
2 Department of Finance and Administration, as authorized by law, shall be  
3 strictly complied with in disbursement of said funds.

4

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

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

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

23

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

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

1 necessary for the immediate preservation of the public peace, health and  
2 safety shall be in full force and effect from and after July 1, 1993.