

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
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, 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	FISCAL YEARS	
35 NO.	1993-94	1994-95

1	(01)	EXTRA HELP		\$	9,000	\$	9,000
2	(02)	PERSONAL SERV MATCHING			689		689
3	(03)	MAINT. & GEN. OPERATION					
4	(A)	OPER. EXPENSES	\$	10,300	\$	10,300	
5	(B)	CONF. & TRAVEL		600		600	
6	(C)	PROF. FEES		1,200		1,200	
7	(D)	CAPITAL OUTLAY		0		0	
8	(E)	DATA PROCESSING		<u>0</u>		<u>0</u>	
9		TOTAL MAINT. & GEN. OPER.			<u>12,100</u>	<u>12,100</u>	
10		TOTAL AMOUNT APPROPRIATED			<u>\$ 21,789</u>	<u>\$ 21,789</u>	

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

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

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

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

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

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

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

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

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

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

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

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

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