

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL 436

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
9 FOR THE ARKANSAS STATE BOARD OF PHYSICAL THERAPY FOR THE
10 BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "AN ACT FOR THE ARKANSAS STATE BOARD OF PHYSICAL THERAPY
15 APPROPRIATION."

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

19 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
20 Arkansas State Board of Physical Therapy, to be payable from cash funds as
21 defined by Arkansas Code 19-4-801 of the Arkansas State Board of Physical
22 Therapy, for operating expenses of the Arkansas State Board of Physical
23 Therapy for the biennial period ending June 30, 1995, the following:

ITEM NO.	FISCAL YEARS	
	1993-94	1994-95
(01) MAINTENANCE & GENERAL OPERATIONS		
(A) OPER. EXPENSES	\$ 29,120	\$ 30,285
(B) CONF. & TRAVEL	7,280	7,571
(C) PROF. FEES	46,800	46,800
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPERATIONS	<u>83,200</u>	<u>84,656</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 83,200</u>	<u>\$ 84,656</u>

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1 SECTION 2. No monies collected by the Arkansas State Board of Physical
2 Therapy or funds authorized by this Act, shall be disbursed except by a member
3 of the State Board of Physical Therapy designated as the Board's Disbursing
4 Officer.

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

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

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

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

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

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

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

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

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

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

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/s/ Senator Russ

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