

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**
5
6

A Bill ACT 104 OF 1991

HOUSE BILL 1307

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
9 FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - REVENUE
10 BUILDING COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE
11 30, 1993; AND FOR OTHER PURPOSES."
12

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
14

15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
16 Department of Finance and Administration - Revenue Building Commission, to be
17 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department
18 of Finance and Administration - Revenue Building Commission, for operating
19 expenses of the Department of Finance and Administration - Revenue Building
20 Commission for the biennial period ending June 30, 1993, the following:
21

22 ITEM	FISCAL YEARS	
23 NO.	1991-92	1992-93
24 (01) MAINTENANCE & GENERAL OPERATIONS		
25 (A) OPER. EXPENSES	\$ 14,351	\$14,351
26 (B) CONF. & TRAVEL	1,258	1,258
27 (C) PROF. FEES	0	0
28 (D) CAPITAL OUTLAY	0	0
29 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
30 TOTAL MAINT. & GEN. OPERATIONS	15,609	15,609
31 (02) TRANSFER TO STATE TREASURER	1,000,000	1,000,000
32 (03) DEBT RETIREMENT-PRINCIPAL	500,000	500,000
33 (04) DEBT RETIREMENT-INTEREST	293,000	293,000
34 (05) PAYING AGENT'S FEE	<u>3,000</u>	<u>3,000</u>
35 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,811,609</u>	<u>\$ 1,811,609</u>

36

1 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
2 this Act for Maintenance and General Operation shall be expended in payment
3 for services of attorneys, unless the agency shall first make a request in
4 writing to the Attorney General of the State of Arkansas to provide the
5 required legal services. The Attorney General's Office shall provide the
6 requested legal services, or, if the Attorney General's Office shall determine
7 that sufficient personnel are not available to provide the requested legal
8 services, the Attorney General shall certify the same to the agency and may
9 authorize the agency to employ legal counsel and to expend monies appropriated
10 for Maintenance and General Operations therefor, if:

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

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

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

20

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

30

31 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this Act shall be in compliance with the stated reasons for which
34 this Act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.

4

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

8

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

14

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

17

18 SECTION 8. HEALTH PREMIUMS. The Department of Finance and
19 Administration - Revenue Building Commission shall not, during the 1992-93
20 fiscal year, spend more for health insurance per employee than the amount
21 being contributed to the State Employees Health Insurance Program.

22

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

34

35

APPROVED: 2-12-91

