

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

# A Bill ACT 253 OF 1991

## HOUSE BILL 1583

### For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR REFUNDS, DEBT SERVICE  
9 REQUIREMENTS, CLAIMS AND OPERATING EXPENSES FOR THE  
10 DEPARTMENT OF HEALTH - HEALTH BUILDING COMMISSION FOR THE  
11 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER  
12 PURPOSES."

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

16 SECTION 1. APPROPRIATIONS - HEALTH BUILDING COMMISSION - CASH. There is  
17 hereby appropriated, to the Department of Health - Health Building Commission,  
18 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the  
19 Department of Health - Health Building Commission, for refunds, debt service  
20 requirements and operating expenses of the Department of Health - Health  
21 Building Commission for the biennial period ending June 30, 1993, the  
22 following:

24 ITEM	25 FISCAL YEARS	
<del>NO.</del>	<del>1991-92</del>	<del>1992-93</del>
26 (01) REFUNDS/COMM EXPENSES	\$ 2,250	\$ 2,250
27 (02) DEBT SERVICE REQ	691,000	691,000
28 (03) TRANSFER TO HEALTH FUND	<u>1,250,000</u>	<u>1,250,000</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,943,250</u>	<u>\$ 1,943,250</u>

30  
31 SECTION 2. APPROPRIATIONS - REFUNDS AND CLAIMS - CASH. There is hereby  
32 appropriated, to the Department of Health - Health Building Commission, to be  
33 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department  
34 of Health - Health Building Commission, for refunds and claims of the  
35 Department of Health - Health Building Commission for the biennial period  
36 ending June 30, 1993, the following:

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ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REFUNDS/CLAIMS	<u>\$ 12,000</u>	<u>\$ 12,000</u>

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6 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the  
7 Department of Health - Health Building Commission, to be payable from the  
8 State Health Building and Local Grant Trust Fund, for expansion, renovation or  
9 improvements to the State Health Building and for grants for construction,  
10 renovation or other expansion of approved local health unit facilities in this  
11 State by the Department of Health - Health Building Commission for the  
12 biennial period ending June 30, 1993, the following:

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ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) GRANTS	<u>\$ 1,600,000</u>	<u>\$ 1,600,000</u>

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18 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
19 this Act for Maintenance and General Operation shall be expended in payment  
20 for services of attorneys, unless the agency shall first make a request in  
21 writing to the Attorney General of the State of Arkansas to provide the  
22 required legal services. The Attorney General's Office shall provide the  
23 requested legal services, or, if the Attorney General's Office shall determine  
24 that sufficient personnel are not available to provide the requested legal  
25 services, the Attorney General shall certify the same to the agency and may  
26 authorize the agency to employ legal counsel and to expend monies appropriated  
27 for Maintenance and General Operations therefor, if:

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

32 Such certification shall be required with respect to each instance of  
33 the employment of special legal counsel, or shall be required annually with  
34 respect to legal counsel employed on a retainer basis. A copy of such  
35 certification shall be entered in the official minutes of the agency, and

1 shall be retained in the fiscal records of the agency for audit purposes.

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3           SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
4 authorized by this Act shall be limited to the appropriation for such agency  
5 and funds made available by law for the support of such appropriations; and  
6 the restrictions of the State Purchasing Law, the General Accounting and  
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
8 Procedures and Restrictions Act, or their successors, and other fiscal control  
9 laws of this State, where applicable, and regulations promulgated by the  
10 Department of Finance and Administration, as authorized by law, shall be  
11 strictly complied with in disbursement of said funds.

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

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

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26           SECTION 8. SEVERABILITY. If any provision of this Act or the  
27 application thereof to any person or circumstance is held invalid, such  
28 invalidity shall not affect other provisions or applications of the Act which  
29 can be given effect without the invalid provision or application, and to this  
30 end the provisions of this Act are declared to be severable.

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32           SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict  
33 with this Act are hereby repealed.

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35           SECTION 10. HEALTH PREMIUMS. The Department of Health - Health

1 Building Commission shall not, during the 1992-93 fiscal year, spend more for  
2 health insurance per employee than the amount being contributed to the State  
3 Employees Health Insurance Program.

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5 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
6 Seventy-Eighth General Assembly, that the Constitution of the State of  
7 Arkansas prohibits the appropriation of funds for more than a two (2) year  
8 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
9 operation of the agency for which the appropriations in this Act are provided,  
10 and that in the event of an extension of the Regular Session, the delay in the  
11 effective date of this Act beyond July 1, 1991 could work irreparable harm  
12 upon the proper administration and provision of essential governmental  
13 programs. Therefore, an emergency is hereby declared to exist and this Act  
14 being necessary for the immediate preservation of the public peace, health and  
15 safety shall be in full force and effect from and after July 1, 1991.

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APPROVED: 2-27-91

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