

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

A Bill ACT 73 OF 1991
SENATE BILL 181

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, 1993;
11 AND FOR OTHER PURPOSES."

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

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15 SECTION 1. EXTRA HELP. There is hereby authorized, for the State
16 Board of Hearing Aid Dispensers for the 1991-93 biennium, the following
17 maximum number of part-time or temporary employees, to be known as "Extra
18 Help", payable from funds appropriated herein for such purposes: two (2)
19 temporary or part-time employees, when needed, at rates of pay not to exceed
20 those provided in the Uniform Classification and Compensation Act, or its
21 successor, for the appropriate classification.

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23 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State
24 Board of Hearing Aid Dispensers, to be payable from cash funds as defined by
25 Arkansas Code 19-4-801 of the State Board of Hearing Aid Dispensers, for
26 personal services and operating expenses of the State Board of Hearing Aid
27 Dispensers for the biennial period ending June 30, 1993, the following:

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29 ITEM FISCAL YEARS
30 ~~NO.~~ ~~1991-92~~ ~~1992-93~~
31 (01) EXTRA HELP \$ 9,000 \$ 9,000
32 (02) PERSONAL SERV MATCHING 688 688
33 (03) MAINT. & GEN. OPERATION
34 (A) OPER. EXPENSES \$ 10,300 \$ 10,300
35 (B) CONF. & TRAVEL 600 600
36 (C) PROF. FEES 1,200 1,200

1	(D) CAPITAL OUTLAY	0	0
2	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
3	TOTAL MAINT. & GEN. OPER.		<u>12,100</u> <u>12,100</u>
4	TOTAL AMOUNT APPROPRIATED		<u>\$ 21,788</u> <u>\$ 21,788</u>

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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. HEALTH PREMIUMS. The State Board of Hearing Aid Dispensers
24 shall not, during the 1992-93 fiscal year, spend more for health insurance per
25 employee than the amount being contributed to the State Employees Health
26 Insurance Program.

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28 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
29 Seventy-Eighth General Assembly, that the Constitution of the State of
30 Arkansas prohibits the appropriation of funds for more than a two (2) year
31 period; that the effectiveness of this Act on July 1, 1991 is essential to the
32 operation of the agency for which the appropriations in this Act are provided,
33 and that in the event of an extension of the Regular Session, the delay in the
34 effective date of this Act beyond July 1, 1991 could work irreparable harm
35 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act
2 being necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 1991.

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APPROVED: 2-7-91

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