

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

A Bill

ACT 19 OF 1993
HOUSE BILL 1158

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
9 FOR THE STATE PODIATRY EXAMINERS BOARD FOR THE BIENNIAL
10 PERIOD ENDING JUNE 30, 1995; AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT FOR THE STATE PODIATRY EXAMINERS BOARD
14 APPROPRIATION."

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

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

24 ITEM	FISCAL YEARS	
25 NO.	1993-94	1994-95
26 (01) MAINT. & GEN. OPERATION		
27 (A) OPER. EXPENSE \$	3,559 \$	3,559
28 (B) CONF. & TRVL.	0	0
29 (C) PROF. FEES	0	0
30 (D) CAP. OUTLAY	0	0
31 (E) DATA PROC.	<u>0</u>	<u>0</u>
32 TOTAL MAINT. & GEN. OPER.	<u>3,559</u>	<u>3,559</u>
33 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,559</u>	<u>\$ 3,559</u>

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35 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
36 this Act for Maintenance and General Operation shall be expended in payment

1 for services of attorneys, unless the agency shall first make a request in
2 writing to the Attorney General of the State of Arkansas to provide the
3 required legal services. The Attorney General's Office shall provide the
4 requested legal services, or, if the Attorney General's Office shall determine
5 that sufficient personnel are not available to provide the requested legal
6 services, the Attorney General shall certify the same to the agency and may
7 authorize the agency to employ legal counsel and to expend monies appropriated
8 for Maintenance and General Operations therefor, if:

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

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

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

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

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29 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
30 that any funds disbursed under the authority of the appropriations contained
31 in this Act shall be in compliance with the stated reasons for which this Act
32 was adopted, as evidenced by the Agency Requests, Executive Recommendations
33 and Legislative Recommendations contained in the budget manuals prepared by
34 the Department of Finance and Administration, letters, or summarized oral
35 testimony in the official minutes of the Arkansas Legislative Council or Joint

1 Budget Committee which relate to its passage and adoption.

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

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

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

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16 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
17 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
18 prohibits the appropriation of funds for more than a two (2) year period; that
19 the effectiveness of this Act on July 1, 1993 is essential to the operation of
20 the agency for which the appropriations in this Act are provided, and that in
21 the event of an extension of the Regular Session, the delay in the effective
22 date of this Act beyond July 1, 1993 could work irreparable harm upon the
23 proper administration and provision of essential governmental programs.
24 Therefore, an emergency is hereby declared to exist and this Act being
25 necessary for the immediate preservation of the public peace, health and
26 safety shall be in full force and effect from and after July 1, 1993.

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28 APPROVED: 2/1/93

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