

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

# A Bill

**ACT 425 OF 1993**  
**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:

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ITEM	FISCAL YEARS	
NO.	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>

36 SECTION 2. No monies collected by the Arkansas State Board of Physical

1 *Therapy or funds authorized by this Act, shall be disbursed except by a member*  
2 *of the State Board of Physical Therapy designated as the Board's Disbursing*  
3 *Officer.*

4

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

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

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

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

24

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

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35 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General

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

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

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

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

21

22 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
23 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
24 prohibits the appropriation of funds for more than a two (2) year period; that  
25 the effectiveness of this Act on July 1, 1993 is essential to the operation of  
26 the agency for which the appropriations in this Act are provided, and that in  
27 the event of an extension of the Regular Session, the delay in the effective  
28 date of this Act beyond July 1, 1993 could work irreparable harm upon the  
29 proper administration and provision of essential governmental programs.  
30 Therefore, an emergency is hereby declared to exist and this Act being  
31 necessary for the immediate preservation of the public peace, health and  
32 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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APPROVED: 03/10/93

