

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 1058 OF 1995
SENATE BILL 729

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
9 FOR THE STATE MEDICAL BOARD WHICH SHALL BE SUPPLEMENTAL
10 AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 506 OF
11 1995; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE STATE MEDICAL BOARD
15 SUPPLEMENTAL APPROPRIATION."

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

19 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the State
20 Medical Board, to be payable from cash funds, as defined by Arkansas Code §19-
21 4-801 of the State Medical Board for operating expenses of the State Medical
22 Board which shall be supplemental and in addition to those funds appropriated
23 in Section 3 of Act 506 of 1995, the following:

25 ITEM	FISCAL YEARS	
26 NO.	1995-96	1996-97
27 (01) MAINTENANCE & GENERAL OPERATIONS		
28 (A) OPER. EXPENSES \$ 150,000	\$ 150,000	
29 (B) CONF. & TRAVEL 0	0	
30 (C) PROF. FEES 0	0	
31 (D) CAPITAL OUTLAY 0	0	
32 (E) DATA PROCESSING <u>0</u>	<u>0</u>	
33 TOTAL MAINT. & GEN. OPER.	<u>150,000</u>	<u>150,000</u>
34 TOTAL AMOUNT APPROPRIATED	<u>\$ 150,000</u>	<u>\$ 150,000</u>

36 SECTION 2. Section 4 of Act 506 of 1995 is hereby amended to read as

1 follows:

2 "SECTION 4. The State Medical Board is hereby authorized to expend from
3 monies authorized herein, no more than \$150,000 each fiscal year for
4 educational programs, either public or private, for impaired physicians with
5 alcohol or drug abuse problems."
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7 SECTION 3. Section 5 of Act 506 of 1995 is hereby amended to read as
8 follows:

9 "SECTION 5. ATTORNEYS PROFESSIONAL SERVICE CONTRACT. The State Medical
10 Board is hereby authorized to expend from monies appropriated in Section 3 up
11 to \$43,500 in each year for legal representation, to include general legal
12 services and representation in administrative hearings and appeals. No
13 payments shall be made under the provisions of this section except upon
14 billing for such services at a rate not to exceed \$60 per hour. Other legal
15 service contracts may be entered into when necessary after the contract is
16 approved by the Board, the Attorney General and submitted for review to the
17 Legislative Council."
18

19 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
20 authorized by this Act shall be limited to the appropriation for such agency
21 and funds made available by law for the support of such appropriations; and
22 the restrictions of the State Purchasing Law, the General Accounting and
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
24 Procedures and Restrictions Act, or their successors, and other fiscal control
25 laws of this State, where applicable, and regulations promulgated by the
26 Department of Finance and Administration, as authorized by law, shall be
27 strictly complied with in disbursement of said funds.
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29 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
30 Assembly that any funds disbursed under the authority of the appropriations
31 contained in this Act shall be in compliance with the stated reasons for which
32 this Act was adopted, as evidenced by the Agency Requests, Executive
33 Recommendations and Legislative Recommendations contained in the budget
34 manuals prepared by the Department of Finance and Administration, letters, or
35 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 6. 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 7. 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 8. GENERAL REPEALER. All laws and parts of laws in conflict
14 with this Act are hereby repealed.

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16 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
17 Eightieth 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, 1995 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, 1995 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, 1995.

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30 /s/Russ

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32 APPROVED: 4-10-95

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As Engrossed: 3/21/95

SB 729

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