

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

# A Bill

**ACT 93 OF 1995**  
**HOUSE BILL 1238**

## 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, 1997; AND FOR OTHER PURPOSES."

## Subtitle

13 "AN ACT FOR THE STATE PODIATRY EXAMINERS  
14 BOARD APPROPRIATION FOR THE 1995-97  
15 BIENNIUM."

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 Podiatry Examiners Board, to be payable from cash funds as defined by Arkansas  
21 Code 19-4-801 of the State Podiatry Examiners Board, for operating expenses of  
22 the State Podiatry Examiners Board for the biennial period ending June 30,  
23 1997, the following:

| ITEM                         | FISCAL YEARS       |                    |
|------------------------------|--------------------|--------------------|
| <del>NO.</del>               | <del>1995-96</del> | <del>1996-97</del> |
| (01) MAINT. & GEN. OPERATION |                    |                    |
| (A) OPER. EXPENSE \$         | 3,488 \$           | 3,488              |
| (B) CONF. & TRVL.            | 0                  | 0                  |
| (C) PROF. FEES               | 0                  | 0                  |
| (D) CAP. OUTLAY              | 0                  | 0                  |
| (E) DATA PROC.               | 0                  | 0                  |
| TOTAL MAINT. & GEN. OPER.    | <u>3,488</u>       | <u>3,488</u>       |
| TOTAL AMOUNT APPROPRIATED    | <u>\$ 3,488</u>    | <u>\$ 3,488</u>    |

36 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in

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

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

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

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

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

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

1 summarized oral testimony in the official minutes of the Arkansas Legislative  
2 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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17 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
18 Eightieth General Assembly, that the Constitution of the State of Arkansas  
19 prohibits the appropriation of funds for more than a two (2) year period; that  
20 the effectiveness of this Act on July 1, 1995 is essential to the operation of  
21 the agency for which the appropriations in this Act are provided, and that in  
22 the event of an extension of the Regular Session, the delay in the effective  
23 date of this Act beyond July 1, 1995 could work irreparable harm upon the  
24 proper administration and provision of essential governmental programs.  
25 Therefore, an emergency is hereby declared to exist and this Act being  
26 necessary for the immediate preservation of the public peace, health and  
27 safety shall be in full force and effect from and after July 1, 1995.

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29 APPROVED: 1/26/95

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