

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1064

4  
5 By: Joint Budget Committee  
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7

## For An Act To Be Entitled

8  
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 BOARD OF HEARING INSTRUMENT DISPENSERS FOR THE  
12 FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE ARKANSAS BOARD OF  
17 HEARING INSTRUMENT DISPENSERS  
18 APPROPRIATION FOR THE 2009-2010 FISCAL  
19 YEAR.  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. EXTRA HELP. There is hereby authorized, for the Arkansas Board  
26 of Hearing Instrument Dispensers for the 2009-2010 fiscal year, the following  
27 maximum number of part-time or temporary employees, to be known as "Extra  
28 Help", payable from funds appropriated herein for such purposes: one (1)  
29 temporary or part-time employees, when needed, at rates of pay not to exceed  
30 those provided in the Uniform Classification and Compensation Act, or its  
31 successor, or this act for the appropriate classification.  
32

33 SECTION 2. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to  
34 the Arkansas Board of Hearing Instrument Dispensers, to be payable from cash  
35 funds as defined by Arkansas Code 19-4-801 of the Arkansas Board of Hearing  
36 Instrument Dispensers, for personal services and operating expenses of the



1 Arkansas Board of Hearing Instrument Dispensers for the fiscal year ending  
 2 June 30, 2010, the following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2009-2010</u>
6 (01) EXTRA HELP	\$ 14,000
7 (02) PERSONAL SERVICES MATCHING	1,079
8 (03) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	8,175
10 (B) CONF. & TRAVEL	0
11 (C) PROF. FEES	350
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u>\$ 23,604</u>

15  
 16 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LEASING  
 18 FROM ARKANSAS BUILDING AUTHORITY. The Board of Hearing Instrument Dispensers  
 19 shall be exempt from Arkansas Building Authority leasing jurisdiction and  
 20 procedures as set out in Arkansas Code 22-2-114.

21 The provisions of this section shall be in effect only from July 1,  
 22 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

23  
 24 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 25 this Act for Maintenance and General Operation shall be expended in payment  
 26 for services of attorneys, unless the agency shall first make a request in  
 27 writing to the Attorney General of the State of Arkansas to provide the  
 28 required legal services. The Attorney General's Office shall provide the  
 29 requested legal services, or, if the Attorney General's Office shall  
 30 determine that sufficient personnel are not available to provide the  
 31 requested legal services, the Attorney General shall certify the same to the  
 32 agency and may authorize the agency to employ legal counsel and to expend  
 33 monies appropriated for Maintenance and General Operations therefor, if:

- 34 (1) The Attorney General determines, and certifies in writing, that such
- 35 agency needs the advice or assistance of legal counsel, and
- 36 (2) The Attorney General consents in writing to the employment of the

1 legal counsel to be retained by the agency.

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

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 8 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 9 by this act shall be limited to the appropriation for such agency and funds  
 10 made available by law for the support of such appropriations; and the  
 11 restrictions of the State Procurement Law, the General Accounting and  
 12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 13 Procedures and Restrictions Act, or their successors, and other fiscal  
 14 control laws of this State, where applicable, and regulations promulgated by  
 15 the Department of Finance and Administration, as authorized by law, shall be  
 16 strictly complied with in disbursement of said funds.

17  
 18 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 19 that any funds disbursed under the authority of the appropriations contained  
 20 in this act shall be in compliance with the stated reasons for which this act  
 21 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 22 and Legislative Recommendations contained in the budget manuals prepared by  
 23 the Department of Finance and Administration, letters, or summarized oral  
 24 testimony in the official minutes of the Arkansas Legislative Council or  
 25 Joint Budget Committee which relate to its passage and adoption.

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 27 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
 28 Assembly, that the Constitution of the State of Arkansas prohibits the  
 29 appropriation of funds for more than a one (1) year period; that the  
 30 effectiveness of this Act on July 1, 2009 is essential to the operation of  
 31 the agency for which the appropriations in this Act are provided, and that in  
 32 the event of an extension of the Regular Session, the delay in the effective  
 33 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
 34 proper administration and provision of essential governmental programs.  
 35 Therefore, an emergency is hereby declared to exist and this Act being  
 36 necessary for the immediate preservation of the public peace, health and

safety shall be in full force and effect from and after July 1, 2009.

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