

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 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

Act 19 of 2001  
SENATE BILL 134

5 By: Joint Budget Committee  
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## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES  
10 FOR THE ARKANSAS STATE BOARD OF ACUPUNCTURE AND  
11 RELATED TECHNIQUES FOR THE BIENNIAL PERIOD ENDING JUNE  
12 30, 2003; AND FOR OTHER PURPOSES.  
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## Subtitle

15 AN ACT FOR THE ARKANSAS STATE BOARD  
16 OF ACUPUNCTURE AND RELATED TECHNIQUES  
17 APPROPRIATION FOR THE 2001-2003 BIENNIAL.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Arkansas  
24 State Board of Acupuncture and Related Techniques, to be payable from the cash  
25 funds as defined by Arkansas Code 19-4-801, for operating expenses of the  
26 Arkansas State Board of Acupuncture and Related Techniques for the biennial  
27 period ending June 30, 2003, the following:  
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ITEM	FISCAL YEARS	
	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 4,000	\$ 4,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0

1	(E) DATA PROC.	0	0
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,000</u>	<u>\$ 4,000</u>

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

5 Act for Maintenance and General Operation shall be expended in payment for

6 services of attorneys, unless the agency shall first make a request in writing

7 to the Attorney General of the State of Arkansas to provide the required legal

8 services. The Attorney General's Office shall provide the requested legal

9 services, or, if the Attorney General's Office shall determine that sufficient

10 personnel are not available to provide the requested legal services, the

11 Attorney General shall certify the same to the agency and may authorize the

12 agency to employ legal counsel and to expend monies appropriated for

13 Maintenance and General Operations therefor, if:

14 (1) The Attorney General determines, and certifies in writing, that such

15 agency needs the advice or assistance of legal counsel, and

16 (2) The Attorney General consents in writing to the employment of the

17 legal counsel to be retained by the agency.

18 Such certification shall be required with respect to each instance of the

19 employment of special legal counsel, or shall be required annually with

20 respect to legal counsel employed on a retainer basis. A copy of such

21 certification shall be entered in the official minutes of the agency, and

22 shall be retained in the fiscal records of the agency for audit purposes.

23

24 SECTION 3. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED

25 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all

26 appropriations as provided in this Act, the agency disbursing officer shall

27 monitor the level of fund balances in relation to expenditures on a monthly

28 basis. If any proposed expenditures would cause a fund balance to decline to

29 less than fifty percent (50%) of the balance available on July 1, 2001, the

30 disbursing officer shall immediately notify the executive head of the agency.

31 Prior to any obligations being made under these circumstances, the agency

32 head shall file written documentation with the Chief Fiscal Officer of the

33 State requesting approval of the expenditures. Such documentation shall

34 provide sufficient financial data to justify the expenditures and shall

35 include the following:

36 1) a plan that clearly indicates the specific fiscal impact of such

1 expenditures on the fund balance.

2 2) information clearly indicating and explaining what programs would be cut or  
 3 any other measures to be taken by the agency to restore the fund balance.

4 3) the extent to which any of the planned expenditures are for one-time costs  
 5 or one-time purchase of capitalized items.

6 4) a statement certifying that the expenditure of fund balances will not  
 7 jeopardize the financial health of the agency, nor result in a permanent  
 8 depletion of the fund balance.

9 (B) The Chief Fiscal Officer of the State shall review the request and  
 10 approve or disapprove all or any part of the request , after having sought  
 11 prior review by the Legislative Council.

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 13 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
 14 this act shall be limited to the appropriation for such agency and funds made  
 15 available by law for the support of such appropriations; and the restrictions  
 16 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
 17 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
 18 Restrictions Act, or their successors, and other fiscal control laws of this  
 19 State, where applicable, and regulations promulgated by the Department of  
 20 Finance and Administration, as authorized by law, shall be strictly complied  
 21 with in disbursement of said funds.

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 23 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 24 that any funds disbursed under the authority of the appropriations contained  
 25 in this act shall be in compliance with the stated reasons for which this act  
 26 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 27 and Legislative Recommendations contained in the budget manuals prepared by  
 28 the Department of Finance and Administration, letters, or summarized oral  
 29 testimony in the official minutes of the Arkansas Legislative Council or Joint  
 30 Budget Committee which relate to its passage and adoption.

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 32 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
 33 Assembly, that the Constitution of the State of Arkansas prohibits the  
 34 appropriation of funds for more than a two (2) year period; that the  
 35 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
 36 agency for which the appropriations in this Act are provided, and that in the

1 event of an extension of the Regular Session, the delay in the effective date  
2 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
3 administration and provision of essential governmental programs. Therefore, an  
4 emergency is hereby declared to exist and this Act being necessary for the  
5 immediate preservation of the public peace, health and safety shall be in full  
6 force and effect from and after July 1, 2001.

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9 **APPROVED: 1/29/2001**  
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