

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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A Bill

HOUSE BILL

1085

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE DIETETICS LICENSING BOARD FOR
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER
11 PURPOSES."

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Subtitle

14 "AN ACT FOR THE DIETETICS LICENSING
15 BOARD APPROPRIATION FOR THE 1995-97
16 BIENNIUM."

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

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20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Dietetics Licensing Board for the 1995-97 biennium, the following maximum
22 number of regular employees whose salaries shall be governed by the
23 provisions of the Uniform Classification and Compensation Act (Arkansas Code
24 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
25 Provided, however, that any position to which a specific maximum annual
26 salary is set out herein in dollars, shall be exempt from the provisions of
27 said Uniform Classification and Compensation Act. All persons occupying
28 positions authorized herein are hereby governed by the provisions of the
29 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
30 or its successor.

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Item	Class		Maximum Annual	
		No. of	Salary Rate	
		Employees	Fiscal Years	
No.	Code	Title	1995-96	1996-97

1 (1) 9780 DIETETICS LICENSING BOARD SECRETARY 1 \$ 11,312 \$
 2 11,594

3 MAX NO. OF EMPLOYEES 1
 4

5 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 6 Dietetics Licensing Board, to be payable from cash funds as defined by
 7 Arkansas Code 19-4-801 of the Dietetics Licensing Board, for personal
 8 services and operating expenses of the Dietetics Licensing Board for the
 9 biennial period ending June 30, 1997, the following:

ITEM NO.	FISCAL YEARS	
	1995-96	1996-97
(01) REGULAR SALARIES	\$ 11,037	\$ 11,037
(02) PERSONAL SERV MATCHING	4,608	4,608
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 8,716	\$ 8,716
(B) CONF. & TRVL.	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	<u>8,716</u>	<u>8,716</u>
<u>8,716</u>		
TOTAL AMOUNT APPROPRIATED	<u>\$ 24,361</u>	<u>\$ 24,361</u>
<u>24,361</u>		

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 28 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 29 this Act for Maintenance and General Operation shall be expended in payment
 30 for services of attorneys, unless the agency shall first make a request in
 31 writing to the Attorney General of the State of Arkansas to provide the
 32 required legal services. The Attorney General's Office shall provide the
 33 requested legal services, or, if the Attorney General's Office shall
 34 determine that sufficient personnel are not available to provide the
 35 requested legal services, the Attorney General shall certify the same to the

1 agency and may authorize the agency to employ legal counsel and to expend
2 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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

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

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

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

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

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10 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
11 Eightieth General Assembly, that the Constitution of the State of Arkansas
12 prohibits the appropriation of funds for more than a two (2) year period;
13 that the effectiveness of this Act on July 1, 1995 is essential to the
14 operation of the agency for which the appropriations in this Act are
15 provided, and that in the event of an extension of the Regular Session, the
16 delay in the effective date of this Act beyond July 1, 1995 could work
17 irreparable harm upon the proper administration and provision of essential
18 governmental programs. Therefore, an emergency is hereby declared to exist
19 and this Act being necessary for the immediate preservation of the public
20 peace, health and safety shall be in full force and effect from and after
21 July 1, 1995.

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