

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

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."

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Subtitle

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

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

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19 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the State
20 Podiatry Examiners Board, to be payable from cash funds as defined by
21 Arkansas Code 19-4-801 of the State Podiatry Examiners Board, for operating
22 expenses of the State Podiatry Examiners Board for the biennial period ending
23 June 30, 1997, the following:

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25 ITEM	FISCAL YEARS	
26 NO.	1995-96	1996-97
27 (01) MAINT. & GEN. OPERATION		
28 (A) OPER. EXPENSE \$ 3,488 \$ 3,488		
29 (B) CONF. & TRVL. 0 0		
30 (C) PROF. FEES 0 0		
31 (D) CAP. OUTLAY 0 0		
32 (E) DATA PROC. 0 0		
33 TOTAL MAINT. & GEN. OPER. 3,488		
34 <u>3,488</u>		
35 TOTAL AMOUNT APPROPRIATED \$ <u>3,488</u> \$		

1 3,488

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3 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 4 this Act for Maintenance and General Operation shall be expended in payment
 5 for services of attorneys, unless the agency shall first make a request in
 6 writing to the Attorney General of the State of Arkansas to provide the
 7 required legal services. The Attorney General's Office shall provide the
 8 requested legal services, or, if the Attorney General's Office shall
 9 determine that sufficient personnel are not available to provide the
 10 requested legal services, the Attorney General shall certify the same to the
 11 agency and may authorize the agency to employ legal counsel and to expend
 12 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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

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33 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
 34 Assembly that any funds disbursed under the authority of the appropriations
 35 contained in this Act shall be in compliance with the stated reasons for

1 which this Act was adopted, as evidenced by the Agency Requests, Executive
2 Recommendations and Legislative Recommendations contained in the budget
3 manuals prepared by the Department of Finance and Administration, letters, or
4 summarized oral testimony in the official minutes of the Arkansas Legislative
5 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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

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