

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

A Bill

SENATE BILL

143

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7 For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
9 FOR THE ARKANSAS STATE BOARD OF PHYSICAL THERAPY FOR THE
10 BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER
11 PURPOSES."

12

13 Subtitle

14 "AN ACT FOR THE ARKANSAS STATE BOARD OF
15 PHYSICAL THERAPY APPROPRIATION FOR THE
16 1995-97 BIENNIUM."

17

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

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

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26 ITEM	FISCAL YEARS	
27 NO.	1995-96	1996-97
28 (01) MAINT. & GEN. OPERATION		
29 (A) OPER. EXPENSE \$	60,532 \$	62,954
30 (B) CONF. & TRVL.	0	0
31 (C) PROF. FEES	54,600	56,784
32 (D) CAP. OUTLAY	520	541
33 (E) DATA PROC.	0	0
34 TOTAL MAINT. & GEN. OPER.		115,652
35 <u>120,279</u>		

4 SECTION 2. No monies collected by the Arkansas State Board of Physical
5 Therapy or funds authorized by this Act, shall be disbursed except by a
6 member of the State Board of Physical Therapy designated as the Board's
7 Disbursing Officer.

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

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

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

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

29 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
30 authorized by this Act shall be limited to the appropriation for such agency
31 and funds made available by law for the support of such appropriations; and
32 the restrictions of the State Purchasing Law, the General Accounting and
33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
34 Procedures and Restrictions Act, or their successors, and other fiscal
35 control laws of this State, where applicable, and regulations promulgated by

1 the Department of Finance and Administration, as authorized by law, shall be
2 strictly complied with in disbursement of said funds.

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

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

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

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

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26 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
27 Eightieth General Assembly, that the Constitution of the State of Arkansas
28 prohibits the appropriation of funds for more than a two (2) year period;
29 that the effectiveness of this Act on July 1, 1995 is essential to the
30 operation of the agency for which the appropriations in this Act are
31 provided, and that in the event of an extension of the Regular Session, the
32 delay in the effective date of this Act beyond July 1, 1995 could work
33 irreparable harm upon the proper administration and provision of essential
34 governmental programs. Therefore, an emergency is hereby declared to exist
35 and this Act being necessary for the immediate preservation of the public

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1 peace, health and safety shall be in full force and effect from and after
2 July 1, 1995.

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