

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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## For An Act To Be Entitled

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

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### Subtitle

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

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35 ITEM

# A Bill

SENATE BILL

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FISCAL YEARS

1 NO.	1995-96	1996-97
2 (01) EXTRA HELP	\$ 9,000	\$
3 9,000		
4 (02) PERSONAL SERV MATCHING	739	
5 739		
6 (03) MAINT. & GEN. OPERATION		
7 (A) OPER. EXPENSE \$	10,300	\$ 10,300
8 (B) CONF. & TRVL.	164	164
9 (C) PROF. FEES	1,200	1,200
10 (D) CAP. OUTLAY	0	0
11 (E) DATA PROC.	<u>0</u>	<u>0</u>
12 TOTAL MAINT. & GEN. OPER.		<u>11,664</u>
13 <u>11,664</u>		
14 TOTAL AMOUNT APPROPRIATED	<u>\$ 21,403</u>	<u>\$</u>
15 <u>21,403</u>		

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

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

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

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

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2           SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
3 authorized by this Act shall be limited to the appropriation for such agency  
4 and funds made available by law for the support of such appropriations; and  
5 the restrictions of the State Purchasing Law, the General Accounting and  
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
7 Procedures and Restrictions Act, or their successors, and other fiscal  
8 control laws of this State, where applicable, and regulations promulgated by  
9 the Department of Finance and Administration, as authorized by law, shall be  
10 strictly complied with in disbursement of said funds.

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

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

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

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

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34           SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
35 Eightieth General Assembly, that the Constitution of the State of Arkansas

1 prohibits the appropriation of funds for more than a two (2) year period;  
2 that the effectiveness of this Act on July 1, 1995 is essential to the  
3 operation of the agency for which the appropriations in this Act are  
4 provided, and that in the event of an extension of the Regular Session, the  
5 delay in the effective date of this Act beyond July 1, 1995 could work  
6 irreparable harm upon the proper administration and provision of essential  
7 governmental programs. Therefore, an emergency is hereby declared to exist  
8 and this Act being necessary for the immediate preservation of the public  
9 peace, health and safety shall be in full force and effect from and after  
10 July 1, 1995.

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