

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 729

4 By: *Joint Budget Committee*

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For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
9 FOR THE STATE MEDICAL BOARD WHICH SHALL BE SUPPLEMENTAL
10 AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 506 OF
11 1995; AND FOR OTHER PURPOSES."

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Subtitle

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"AN ACT FOR THE STATE MEDICAL BOARD
15 SUPPLEMENTAL APPROPRIATION."

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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 Medical Board, to be payable from cash funds, as defined by Arkansas Code
21 §19-4-801 of the State Medical Board for operating expenses of the State
22 Medical Board which shall be supplemental and in addition to those funds
23 appropriated in Section 3 of Act 506 of 1995, the following:

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25	ITEM	FISCAL YEARS	
26	NO.	1995-96	1996-97
27	(01) MAINTENANCE & GENERAL OPERATIONS		
28	(A) OPER. EXPENSES \$ 150,000	\$ 150,000	
29	(B) CONF. & TRAVEL 0	0	
30	(C) PROF. FEES 0	0	
31	(D) CAPITAL OUTLAY 0	0	
32	(E) DATA PROCESSING 0	0	
33	TOTAL MAINT. & GEN. OPER.	<u>150,000</u>	<u>150,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 150,000</u>	<u>\$ 150,000</u>

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1 SECTION 2. Section 4 of Act 506 of 1995 is hereby amended to read as
2 follows:

3 "SECTION 4. The State Medical Board is hereby authorized to expend from
4 monies authorized herein, no more than \$150,000 each fiscal year for
5 educational programs, either public or private, for impaired physicians with
6 alcohol or drug abuse problems."
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8 SECTION 3. Section 5 of Act 506 of 1995 is hereby amended to read as
9 follows:

10 "SECTION 5. ATTORNEYS PROFESSIONAL SERVICE CONTRACT. The State Medical
11 Board is hereby authorized to expend from monies appropriated in Section 3 up
12 to \$43,500 in each year for legal representation, to include general legal
13 services and representation in administrative hearings and appeals. No
14 payments shall be made under the provisions of this section except upon
15 billing for such services at a rate not to exceed \$60 per hour. Other legal
16 service contracts may be entered into when necessary after the contract is
17 approved by the Board, the Attorney General and submitted for review to the
18 Legislative Council."
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20 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
21 authorized by this Act shall be limited to the appropriation for such agency
22 and funds made available by law for the support of such appropriations; and
23 the restrictions of the State Purchasing Law, the General Accounting and
24 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
25 Procedures and Restrictions Act, or their successors, and other fiscal
26 control laws of this State, where applicable, and regulations promulgated by
27 the Department of Finance and Administration, as authorized by law, shall be
28 strictly complied with in disbursement of said funds.
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30 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
31 Assembly that any funds disbursed under the authority of the appropriations
32 contained in this Act shall be in compliance with the stated reasons for
33 which this Act was adopted, as evidenced by the Agency Requests, Executive
34 Recommendations and Legislative Recommendations contained in the budget
35 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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

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/s/Russ

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