

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1114

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE STATE BOARD OF HEARING AID
11 DISPENSERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999;
12 AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE STATE BOARD OF HEARING
16 AID DISPENSERS APPROPRIATION FOR THE
17 1997-99 BIENNIUM."

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

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21 SECTION 1. EXTRA HELP. There is hereby authorized, for the State
22 Board of Hearing Aid Dispensers for the 1997-99 biennium, the following
23 maximum number of part-time or temporary employees, to be known as "Extra
24 Help", payable from funds appropriated herein for such purposes: one (1)
25 temporary or part-time employees, when needed, at rates of pay not to exceed
26 those provided in the Uniform Classification and Compensation Act, or its
27 successor, or this act for the appropriate classification.

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29 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State
30 Board of Hearing Aid Dispensers, to be payable from cash funds as defined by
31 Arkansas Code 19-4-801 of the State Board of Hearing Aid Dispensers, for
32 personal services and operating expenses of the State Board of Hearing Aid
33 Dispensers for the biennial period ending June 30, 1999, the following:

34
35 ITEM FISCAL YEARS

36 ~~NO. 1997-98 1998-99~~

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2	(01) EXTRA HELP	\$ 12,000	\$ 12,000
3	(02) PERSONAL SERV MATCHING	940	940
4	(03) MAINT. & GEN. OPERATION		
5	(A) OPER. EXPENSE	9,650	9,650
6	(B) CONF. & TRVL.	63	
7	63		
8	(C) PROF. FEES	800	800
9	(D) CAP. OUTLAY	0	0
10	(E) DATA PROC.	<u>0</u>	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$ 23,453</u>	<u>\$ 23,453</u>
12			

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

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

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

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

32
 33 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 34 authorized by this Act shall be limited to the appropriation for such agency
 35 and funds made available by law for the support of such appropriations; and

1 the restrictions of the State Purchasing Law, the General Accounting and
2 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
3 Procedures and Restrictions Act, or their successors, and other fiscal control
4 laws of this State, where applicable, and regulations promulgated by the
5 Department of Finance and Administration, as authorized by law, shall be
6 strictly complied with in disbursement of said funds.

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

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

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

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

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30 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
31 Eighty-First General Assembly, that the Constitution of the State of Arkansas
32 prohibits the appropriation of funds for more than a two (2) year period; that
33 the effectiveness of this Act on July 1, 1997 is essential to the operation of
34 the agency for which the appropriations in this Act are provided, and that in
35 the event of an extension of the Regular Session, the delay in the effective

1 date of this Act beyond July 1, 1997 could work irreparable harm upon the
2 proper administration and provision of essential governmental programs.
3 Therefore, an emergency is hereby declared to exist and this Act being
4 necessary for the immediate preservation of the public peace, health and
5 safety shall be in full force and effect from and after July 1, 1997.

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