

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 1129

4
5 By: Joint Budget Committee

For An Act To Be Entitled

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

Subtitle

14 "AN ACT FOR THE STATE BOARD OF
15 SANITARIANS APPROPRIATION FOR THE
16 1997-99 BIENNIUM."

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

20 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the State
21 Board of Sanitarians, to be payable from cash funds as defined by Arkansas
22 Code 19-4-801 of the State Board of Sanitarians, for operating expenses of the
23 State Board of Sanitarians for the biennial period ending June 30, 1999, the
24 following:

26 ITEM	27 FISCAL YEARS	
	1997-98	1998-99
28 (01) MAINT. & GEN. OPERATION		
29 (A) OPER. EXPENSE	\$ 7,803	\$ 7,803
30 (B) CONF. & TRVL.	0	0
31 (C) PROF. FEES	0	0
32 (D) CAP. OUTLAY	0	0
33 (E) DATA PROC.	<u>0</u>	<u>0</u>
34 TOTAL AMOUNT APPROPRIATED	<u>\$ 7,803</u>	<u>\$ 7,803</u>

35 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
36 this Act for Maintenance and General Operation shall be expended in payment

1 for services of attorneys, unless the agency shall first make a request in
2 writing to the Attorney General of the State of Arkansas to provide the
3 required legal services. The Attorney General's Office shall provide the
4 requested legal services, or, if the Attorney General's Office shall determine
5 that sufficient personnel are not available to provide the requested legal
6 services, the Attorney General shall certify the same to the agency and may
7 authorize the agency to employ legal counsel and to expend monies appropriated
8 for Maintenance and General Operations therefor, if:

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

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

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

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

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29 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
30 Assembly that any funds disbursed under the authority of the appropriations
31 contained in this Act shall be in compliance with the stated reasons for which
32 this Act was adopted, as evidenced by the Agency Requests, Executive
33 Recommendations and Legislative Recommendations contained in the budget
34 manuals prepared by the Department of Finance and Administration, letters, or
35 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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16 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
 17 Eighty-First General Assembly, that the Constitution of the State of Arkansas
 18 prohibits the appropriation of funds for more than a two (2) year period; that
 19 the effectiveness of this Act on July 1, 1997 is essential to the operation of
 20 the agency for which the appropriations in this Act are provided, and that in
 21 the event of an extension of the Regular Session, the delay in the effective
 22 date of this Act beyond July 1, 1997 could work irreparable harm upon the
 23 proper administration and provision of essential governmental programs.
 24 Therefore, an emergency is hereby declared to exist and this Act being
 25 necessary for the immediate preservation of the public peace, health and
 26 safety shall be in full force and effect from and after July 1, 1997.

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