

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

HOUSE BILL 1169

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE STATE BOARD OF HEARING  
11 AID DISPENSERS FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 2001; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE STATE BOARD OF HEARING  
15 AID DISPENSERS APPROPRIATION FOR  
16 THE 1999-2001 BIENNIUM."  
17  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. EXTRA HELP. There is hereby authorized, for the State Board of  
23 Hearing Aid Dispensers for the 1999-2001 biennium, the following maximum  
24 number of part-time or temporary employees, to be known as "Extra Help",  
25 payable from funds appropriated herein for such purposes: one (1) temporary  
26 or part-time employees, when needed, at rates of pay not to exceed those  
27 provided in the Uniform Classification and Compensation Act, or its successor,  
28 or this act for the appropriate classification.  
29

30 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State  
31 Board of Hearing Aid Dispensers, to be payable from cash funds as defined by  
32 Arkansas Code 19-4-801 of the State Board of Hearing Aid Dispensers, for  
33 personal services and operating expenses of the State Board of Hearing Aid  
34 Dispensers for the biennial period ending June 30, 2001, the following:  
35

36 ITEM

FISCAL YEARS

\*PLR011\*

0112991203. PLR011

NO.		1999-2000	2000-2001
(01)	EXTRA HELP	\$ 14,000	\$ 14,000
(02)	PERSONAL SERV MATCHING	1,071	1,071
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	9,344	9,344
(B)	CONF. & TRAVEL	0	0
(C)	PROF. FEES	700	700
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	0	0
	TOTAL AMOUNT APPROPRIATED	<u>\$ 25,115</u>	<u>\$ 25,115</u>

11

12 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 13 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INVESTMENT  
 14 OPTIONS. The agency, board or commission, to which appropriation in this Act  
 15 is made, shall consider all possible options available in investing cash fund  
 16 balances for which it is responsible. Such options investigated shall  
 17 specifically include the provisions of the Treasury Management Trust Fund  
 18 option beginning at Arkansas Code 19-3-602. In the event that the Treasury  
 19 Management Trust Fund option is not selected, the agency, board, or commission  
 20 shall report to the State Board of Finance the option selected and the  
 21 additional benefits accruing by selecting a different option.

22

23 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this  
 24 Act for Maintenance and General Operation shall be expended in payment for  
 25 services of attorneys, unless the agency shall first make a request in writing  
 26 to the Attorney General of the State of Arkansas to provide the required legal  
 27 services. The Attorney General's Office shall provide the requested legal  
 28 services, or, if the Attorney General's Office shall determine that sufficient  
 29 personnel are not available to provide the requested legal services, the  
 30 Attorney General shall certify the same to the agency and may authorize the  
 31 agency to employ legal counsel and to expend monies appropriated for  
 32 Maintenance and General Operations therefor, if:

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

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

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

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

16  
 17 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 18 that any funds disbursed under the authority of the appropriations contained  
 19 in this Act shall be in compliance with the stated reasons for which this Act  
 20 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 21 and Legislative Recommendations contained in the budget manuals prepared by  
 22 the Department of Finance and Administration, letters, or summarized oral  
 23 testimony in the official minutes of the Arkansas Legislative Council or Joint  
 24 Budget Committee which relate to its passage and adoption.

25  
 26 SECTION 7. CODE. All provisions of this Act of a general and permanent  
 27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
 28 Code Revision Commission shall incorporate the same in the Code.

29  
 30 SECTION 8. SEVERABILITY. If any provision of this Act or the application  
 31 thereof to any person or circumstance is held invalid, such invalidity shall  
 32 not affect other provisions or applications of the Act which can be given  
 33 effect without the invalid provision or application, and to this end the  
 34 provisions of this Act are declared to be severable.

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 36 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with

1 this Act are hereby repealed.

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3 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
4 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
5 prohibits the appropriation of funds for more than a two (2) year period; that  
6 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
7 the agency for which the appropriations in this Act are provided, and that in  
8 the event of an extension of the Regular Session, the delay in the effective  
9 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
10 proper administration and provision of essential governmental programs.  
11 Therefore, an emergency is hereby declared to exist and this Act being  
12 necessary for the immediate preservation of the public peace, health and  
13 safety shall be in full force and effect from and after July 1, 1999.