

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

A Bill

HOUSE BILL 1170

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

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

Subtitle

15 "AN ACT FOR THE STATE BOARD OF SANITARIANS
16 APPROPRIATION FOR THE 1999-2001 BIENNIUM. "

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to
22 the State Board of Sanitarians, to be payable from cash funds as defined by
23 Arkansas Code 19-4-801 of the State Board of Sanitarians, for operating
24 expenses of the State Board of Sanitarians for the biennial period ending June
25 30, 2001, the following:
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ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 7,647	\$ 7,647
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 7,647</u>	<u>\$ 7,647</u>

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1 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 2 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INVESTMENT
 3 OPTIONS. The agency, board or commission, to which appropriation in this Act
 4 is made, shall consider all possible options available in investing cash fund
 5 balances for which it is responsible. Such options investigated shall
 6 specifically include the provisions of the Treasury Management Trust Fund
 7 option beginning at Arkansas Code 19-3-602. In the event that the Treasury
 8 Management Trust Fund option is not selected, the agency, board, or commission
 9 shall report to the State Board of Finance the option selected and the
 10 additional benefits accruing by selecting a different option.

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

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

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

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

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 32 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
 33 this act shall be limited to the appropriation for such agency and funds made
 34 available by law for the support of such appropriations; and the restrictions
 35 of the State Purchasing Law, the General Accounting and Budgetary Procedures
 36 Law, the Revenue Stabilization Law, the Regular Salary Procedures and

1 Restrictions Act, or their successors, and other fiscal control laws of this
 2 State, where applicable, and regulations promulgated by the Department of
 3 Finance and Administration, as authorized by law, shall be strictly complied
 4 with in disbursement of said funds.

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

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

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

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 25 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict with
 26 this act are hereby repealed.

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 28 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
 29 Eighty-second General Assembly, that the Constitution of the State of Arkansas
 30 prohibits the appropriation of funds for more than a two (2) year period; that
 31 the effectiveness of this Act on July 1, 1999 is essential to the operation of
 32 the agency for which the appropriations in this Act are provided, and that in
 33 the event of an extension of the Regular Session, the delay in the effective
 34 date of this Act beyond July 1, 1999 could work irreparable harm upon the
 35 proper administration and provision of essential governmental programs.
 36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and
2 safety shall be in full force and effect from and after July 1, 1999.

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