

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

A Bill

SENATE BILL 47

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF
10 HEARING INSTRUMENT DISPENSERS FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2017; AND FOR OTHER PURPOSES.
12
13

Subtitle

14
15 AN ACT FOR THE ARKANSAS BOARD OF HEARING
16 INSTRUMENT DISPENSERS APPROPRIATION FOR
17 THE 2016-2017 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. EXTRA HELP. There is hereby authorized, for the Arkansas
23 Board of Hearing Instrument Dispensers for the 2016-2017 fiscal year, the
24 following maximum number of part-time or temporary employees, to be known as
25 "Extra Help", payable from funds appropriated herein for such purposes: two
26 (2) temporary or part-time employees, when needed, at rates of pay not to
27 exceed those provided in the Uniform Classification and Compensation Act, or
28 its successor, or this act for the appropriate classification.
29

30 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
31 to the Arkansas Board of Hearing Instrument Dispensers, to be payable from
32 cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Board of
33 Hearing Instrument Dispensers, for personal services and operating expenses
34 of the Arkansas Board of Hearing Instrument Dispensers for the fiscal year
35 ending June 30, 2017, the following:
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| ITEM | FISCAL YEAR |
|---------------------------------|-----------------|
| NO. | 2016-2017 |
| (01) EXTRA HELP | \$26,900 |
| (02) PERSONAL SERVICES MATCHING | 4,691 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 17,800 |
| (B) CONF. & TRAVEL | 0 |
| (C) PROF. FEES | 350 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| TOTAL AMOUNT APPROPRIATED | <u>\$49,741</u> |

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LEASING FROM ARKANSAS BUILDING AUTHORITY. The Board of Hearing Instrument Dispensers shall be exempt from Arkansas Building Authority leasing jurisdiction and procedures as set out in Arkansas Code 22-2-114.

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

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

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

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

Such certification shall be required with respect to each instance of the employment of special legal counsel, or shall be required annually with

1 respect to legal counsel employed on a retainer basis. A copy of such
2 certification shall be entered in the official minutes of the agency, and
3 shall be retained in the fiscal records of the agency for audit purposes.
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5 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
6 authorized by this act shall be limited to the appropriation for such agency
7 and funds made available by law for the support of such appropriations; and
8 the restrictions of the State Procurement Law, the General Accounting and
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
10 Procedures and Restrictions Act, or their successors, and other fiscal
11 control laws of this State, where applicable, and regulations promulgated by
12 the Department of Finance and Administration, as authorized by law, shall be
13 strictly complied with in disbursement of said funds.
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15 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
16 Assembly that any funds disbursed under the authority of the appropriations
17 contained in this act shall be in compliance with the stated reasons for
18 which this act was adopted, as evidenced by the Agency Requests, Executive
19 Recommendations and Legislative Recommendations contained in the budget
20 manuals prepared by the Department of Finance and Administration, letters, or
21 summarized oral testimony in the official minutes of the Arkansas Legislative
22 Council or Joint Budget Committee which relate to its passage and adoption.
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24 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
25 Assembly, that the Constitution of the State of Arkansas prohibits the
26 appropriation of funds for more than a one (1) year period; that the
27 effectiveness of this Act on July 1, 2016 is essential to the operation of
28 the agency for which the appropriations in this Act are provided, and that in
29 the event of an extension of the legislative session, the delay in the
30 effective date of this Act beyond July 1, 2016 could work irreparable harm
31 upon the proper administration and provision of essential governmental
32 programs. Therefore, an emergency is hereby declared to exist and this Act
33 being necessary for the immediate preservation of the public peace, health
34 and safety shall be in full force and effect from and after July 1, 2016.
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