

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

SENATE BILL 83

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
10 BOARD OF HEARING INSTRUMENT DISPENSERS FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2013; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS BOARD OF HEARING
16 INSTRUMENT DISPENSERS APPROPRIATION FOR THE
17 2012-2013 FISCAL YEAR.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. EXTRA HELP. There is hereby authorized, for the Arkansas
24 Board of Hearing Instrument Dispensers for the 2012-2013 fiscal year, the
25 following maximum number of part-time or temporary employees, to be known as
26 "Extra Help", payable from funds appropriated herein for such purposes: one
27 (1) temporary or part-time employees, when needed, at rates of pay not to
28 exceed those provided in the Uniform Classification and Compensation Act, or
29 its successor, or this act for the appropriate classification.
30

31 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
32 to the Arkansas Board of Hearing Instrument Dispensers, to be payable from
33 cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Board of
34 Hearing Instrument Dispensers, for personal services and operating expenses
35 of the Arkansas Board of Hearing Instrument Dispensers for the fiscal year
36 ending June 30, 2013, the following:



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2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2012-2013</u>
4	(01) EXTRA HELP	\$14,000
5	(02) PERSONAL SERVICES MATCHING	1,071
6	(03) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	8,175
8	(B) CONF. & TRAVEL	0
9	(C) PROF. FEES	350
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	<u>0</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$23,596</u></u>
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14 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LEASING
 16 FROM ARKANSAS BUILDING AUTHORITY. The Board of Hearing Instrument Dispensers
 17 shall be exempt from Arkansas Building Authority leasing jurisdiction and
 18 procedures as set out in Arkansas Code 22-2-114.

19 The provisions of this section shall be in effect only from July 1, ~~2010~~
 20 2012 through June 30, ~~2011~~ 2013.

21
 22 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 23 this Act for Maintenance and General Operation shall be expended in payment
 24 for services of attorneys, unless the agency shall first make a request in
 25 writing to the Attorney General of the State of Arkansas to provide the
 26 required legal services. The Attorney General's Office shall provide the
 27 requested legal services, or, if the Attorney General's Office shall
 28 determine that sufficient personnel are not available to provide the
 29 requested legal services, the Attorney General shall certify the same to the
 30 agency and may authorize the agency to employ legal counsel and to expend
 31 monies appropriated for Maintenance and General Operations therefor, if:

- 32 (1) The Attorney General determines, and certifies in writing, that
- 33 such agency needs the advice or assistance of legal counsel, and
- 34 (2) The Attorney General consents in writing to the employment of the
- 35 legal counsel to be retained by the agency.

36 Such certification shall be required with respect to each instance of

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

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

16 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this act shall be in compliance with the stated reasons for
19 which this act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.
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25 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
26 Assembly, that the Constitution of the State of Arkansas prohibits the
27 appropriation of funds for more than a one (1) year period; that the
28 effectiveness of this Act on July 1, 2012 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the legislative session, the delay in the
31 effective date of this Act beyond July 1, 2012 could work irreparable harm
32 upon the proper administration and provision of essential governmental
33 programs. Therefore, an emergency is hereby declared to exist and this Act
34 being necessary for the immediate preservation of the public peace, health
35 and safety shall be in full force and effect from and after July 1, 2012.
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