

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

Act 26 of 2001
HOUSE BILL 1186

4
5 By: Joint Budget Committee
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7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
10 FOR THE ARKANSAS STATE BOARD OF SANITARIANS FOR THE
11 BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR OTHER
12 PURPOSES.
13
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Subtitle

15 AN ACT FOR THE ARKANSAS STATE BOARD
16 OF SANITARIANS APPROPRIATION FOR
17 THE 2001-2003 BIENNIAL PERIOD.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to
24 the Arkansas State Board of Sanitarians, to be payable from cash funds as
25 defined by Arkansas Code 19-4-801 of the Arkansas State Board of Sanitarians,
26 for operating expenses of the Arkansas State Board of Sanitarians for the
27 biennial period ending June 30, 2003, the following:
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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	7,647	7,647
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	1,000	1,000
(D) CAP. OUTLAY	0	0

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,647</u>	<u>\$ 8,647</u>

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SECTION 2. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent depletion of the fund balance.

(B) The Chief Fiscal Officer of the State shall review the request and approve or disapprove all or any part of the request, after having sought prior review by the Legislative Council.

29 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this
30 Act for Maintenance and General Operation shall be expended in payment for
31 services of attorneys, unless the agency shall first make a request in writing
32 to the Attorney General of the State of Arkansas to provide the required legal
33 services. The Attorney General's Office shall provide the requested legal
34 services, or, if the Attorney General's Office shall determine that sufficient
35 personnel are not available to provide the requested legal services, the
36 Attorney General shall certify the same to the agency and may authorize the

1 agency to employ legal counsel and to expend monies appropriated for
 2 Maintenance and General Operations therefor, if:

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

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

7 Such certification shall be required with respect to each instance of the
 8 employment of special legal counsel, or shall be required annually with
 9 respect to legal counsel employed on a retainer basis. A copy of such
 10 certification shall be entered in the official minutes of the agency, and
 11 shall be retained in the fiscal records of the agency for audit purposes.
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13 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
 14 this act shall be limited to the appropriation for such agency and funds made
 15 available by law for the support of such appropriations; and the restrictions
 16 of the State Purchasing Law, the General Accounting and Budgetary Procedures
 17 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
 18 Restrictions Act, or their successors, and other fiscal control laws of this
 19 State, where applicable, and regulations promulgated by the Department of
 20 Finance and Administration, as authorized by law, shall be strictly complied
 21 with in disbursement of said funds.
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23 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
 24 that any funds disbursed under the authority of the appropriations contained
 25 in this act shall be in compliance with the stated reasons for which this act
 26 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 27 and Legislative Recommendations contained in the budget manuals prepared by
 28 the Department of Finance and Administration, letters, or summarized oral
 29 testimony in the official minutes of the Arkansas Legislative Council or Joint
 30 Budget Committee which relate to its passage and adoption.
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32 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
 33 Assembly, that the Constitution of the State of Arkansas prohibits the
 34 appropriation of funds for more than a two (2) year period; that the
 35 effectiveness of this Act on July 1, 2001 is essential to the operation of the
 36 agency for which the appropriations in this Act are provided, and that in the

1 event of an extension of the Regular Session, the delay in the effective date
2 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
3 administration and provision of essential governmental programs. Therefore, an
4 emergency is hereby declared to exist and this Act being necessary for the
5 immediate preservation of the public peace, health and safety shall be in full
6 force and effect from and after July 1, 2001.

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9 **APPROVED: 1/29/2001**
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