

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill ACT 74 OF 1991
SENATE BILL 182

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
9 FOR THE ARKANSAS STATE BOARD OF REGISTRATION FOR
10 PROFESSIONAL SOIL CLASSIFIERS FOR THE BIENNIAL PERIOD
11 ENDING JUNE 30, 1993; AND FOR OTHER PURPOSES."

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
16 Arkansas State Board of Registration for Professional Soil Classifiers, to be
17 payable from cash funds as defined by Arkansas Code §19-4-801 of the Arkansas
18 State Board of Registration for Professional Soil Classifiers, for operating
19 expenses of the Arkansas State Board of Registration for Professional Soil
20 Classifiers for the biennial period ending June 30, 1993, the following:

22 ITEM	23 FISCAL YEARS	
NO.	1991-92	1992-93
24 (01) MAINT. & GEN. OPERATION		
25 (A) OPER. EXPENSES \$	1,377	\$ 1,377
26 (B) CONF. & TRAVEL	0	0
27 (C) PROF. FEES	0	0
28 (D) CAPITAL OUTLAY	0	0
29 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
30 TOTAL MAINT. & GEN. OPER.		
31 <u>1,377</u>	<u>1,377</u>	
32 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,377</u>	<u>\$ 1,377</u>

34 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
35 this Act for Maintenance and General Operation shall be expended in payment
36 for services of attorneys, unless the agency shall first make a request in

1 writing to the Attorney General of the State of Arkansas to provide the
2 required legal services. The Attorney General's Office shall provide the
3 requested legal services, or, if the Attorney General's Office shall determine
4 that sufficient personnel are not available to provide the requested legal
5 services, the Attorney General shall certify the same to the agency and may
6 authorize the agency to employ legal counsel and to expend monies appropriated
7 for Maintenance and General Operations therefor, if:

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

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

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

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18 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
19 authorized by this Act shall be limited to the appropriation for such agency
20 and funds made available by law for the support of such appropriations; and
21 the restrictions of the State Purchasing Law, the General Accounting and
22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
23 Procedures and Restrictions Act, or their successors, and other fiscal control
24 laws of this State, where applicable, and regulations promulgated by the
25 Department of Finance and Administration, as authorized by law, shall be
26 strictly complied with in disbursement of said funds.

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28 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
29 Assembly that any funds disbursed under the authority of the appropriations
30 contained in this Act shall be in compliance with the stated reasons for which
31 this Act was adopted, as evidenced by the Agency Requests, Executive
32 Recommendations and Legislative Recommendations contained in the budget
33 manuals prepared by the Department of Finance and Administration, letters, or
34 summarized oral testimony in the official minutes of the Arkansas Legislative
35 Council or Joint Budget Committee which relate to its passage and adoption.

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2 SECTION 5. CODE. All provisions of this Act of a general and permanent
3 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
4 Code Revision Commission shall incorporate the same in the Code.

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6 SECTION 6. SEVERABILITY. If any provision of this Act or the
7 application thereof to any person or circumstance is held invalid, such
8 invalidity shall not affect other provisions or applications of the Act which
9 can be given effect without the invalid provision or application, and to this
10 end the provisions of this Act are declared to be severable.

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12 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict
13 with this Act are hereby repealed.

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15 SECTION 8. HEALTH PREMIUMS. The Arkansas State Board of Registration
16 for Professional Soil Classifiers shall not, during the 1992-93 fiscal year,
17 spend more for health insurance per employee than the amount being contributed
18 to the State Employees Health Insurance Program.

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20 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
21 Seventy-Eighth General Assembly, that the Constitution of the State of
22 Arkansas prohibits the appropriation of funds for more than a two (2) year
23 period; that the effectiveness of this Act on July 1, 1991 is essential to the
24 operation of the agency for which the appropriations in this Act are provided,
25 and that in the event of an extension of the Regular Session, the delay in the
26 effective date of this Act beyond July 1, 1991 could work irreparable harm
27 upon the proper administration and provision of essential governmental
28 programs. Therefore, an emergency is hereby declared to exist and this Act
29 being necessary for the immediate preservation of the public peace, health and
30 safety shall be in full force and effect from and after July 1, 1991.

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APPROVED: 2-7-91

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