

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

# A Bill

ACT 34 OF 1997  
SENATE BILL 33

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES  
10 FOR THE ARKANSAS STATE BOARD OF REGISTRATION FOR  
11 PROFESSIONAL SOIL CLASSIFIERS FOR THE BIENNIAL PERIOD  
12 ENDING JUNE 30, 1999; AND FOR OTHER PURPOSES."  
13

## Subtitle

14 "AN ACT FOR THE ARKANSAS STATE BOARD OF  
15 REGISTRATION FOR PROFESSIONAL SOIL  
16 CLASSIFIERS APPROPRIATION FOR THE  
17 1997-99 BIENNIUM."  
18  
19

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

22 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
23 Arkansas State Board of Registration for Professional Soil Classifiers, to be  
24 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas  
25 State Board of Registration for Professional Soil Classifiers, for operating  
26 expenses of the Arkansas State Board of Registration for Professional Soil  
27 Classifiers for the biennial period ending June 30, 1999, the following:  
28

29 ITEM	FISCAL YEARS	
30 <del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
31 (01) MAINT. & GEN. OPERATION		
32 (A) OPER. EXPENSE	\$ 1,322	\$ 1,322
33 (B) CONF. & TRVL.	0	
34 0		
35 (C) PROF. FEES	0	0
36 (D) CAP. OUTLAY	0	0

1	(E) DATA PROC.	0	0
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,322</u>	<u>\$ 1,322</u>

3

4 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 5 this Act for Maintenance and General Operation shall be expended in payment  
 6 for services of attorneys, unless the agency shall first make a request in  
 7 writing to the Attorney General of the State of Arkansas to provide the  
 8 required legal services. The Attorney General's Office shall provide the  
 9 requested legal services, or, if the Attorney General's Office shall determine  
 10 that sufficient personnel are not available to provide the requested legal  
 11 services, the Attorney General shall certify the same to the agency and may  
 12 authorize the agency to employ legal counsel and to expend monies appropriated  
 13 for Maintenance and General Operations therefor, if:

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

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

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

23

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

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34 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
 35 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this Act shall be in compliance with the stated reasons for which  
2 this Act was adopted, as evidenced by the Agency Requests, Executive  
3 Recommendations and Legislative Recommendations contained in the budget  
4 manuals prepared by the Department of Finance and Administration, letters, or  
5 summarized oral testimony in the official minutes of the Arkansas Legislative  
6 Council or Joint Budget Committee which relate to its passage and adoption.

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

11

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

17

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

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21 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
22 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
23 prohibits the appropriation of funds for more than a two (2) year period; that  
24 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
25 the agency for which the appropriations in this Act are provided, and that in  
26 the event of an extension of the Regular Session, the delay in the effective  
27 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
28 proper administration and provision of essential governmental programs.  
29 Therefore, an emergency is hereby declared to exist and this Act being  
30 necessary for the immediate preservation of the public peace, health and  
31 safety shall be in full force and effect from and after July 1, 1997.

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APPROVED: 1-30-97

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