

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
4

A Bill

Act 173 of 2001
SENATE BILL 300

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 STATE BOARD OF DISEASE INTERVENTION
11 SPECIALISTS FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2003; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE STATE BOARD OF DISEASE
16 INTERVENTION SPECIALISTS - OPERATING
17 EXPENSES APPROPRIATION FOR THE 2001-2003
18 BIENNIAL PERIOD.
19
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 6. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to
25 the State Board of Disease Intervention Specialists, to be payable from cash
26 funds as defined by Arkansas Code 19-4-801 of the State Board of Disease
27 Intervention Specialists, for operating expenses of the State Board of Disease
28 Intervention Specialists for the biennial period ending June 30, 2003, the
29 following:
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31 ITEM	32 FISCAL YEARS	
	NO.	NO.
33 (01) MAINT. & GEN. OPERATION		
34 (A) OPER. EXPENSE	2,479	2,479
35 (B) CONF. & TRAVEL	0	0
36 (C) PROF. FEES	0	0

1	(D) CAP. OUTLAY	0	0
2	(E) DATA PROC.	<u>0</u>	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,479</u>	<u>\$ 2,479</u>

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

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

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

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

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25 SECTION 6. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
26 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
27 appropriations as provided in this Act, the agency disbursing officer shall
28 monitor the level of fund balances in relation to expenditures on a monthly
29 basis. If any proposed expenditures would cause a fund balance to decline to
30 less than fifty percent (50%) of the balance available on July 1, 2001, the
31 disbursing officer shall immediately notify the executive head of the agency.
32 Prior to any obligations being made under these circumstances, the agency
33 head shall file written documentation with the Chief Fiscal Officer of the
34 State requesting approval of the expenditures. Such documentation shall
35 provide sufficient financial data to justify the expenditures and shall
36 include the following:

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

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

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14 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
 15 this act shall be limited to the appropriation for such agency and funds made
 16 available by law for the support of such appropriations; and the restrictions
 17 of the State Purchasing Law, the General Accounting and Budgetary Procedures
 18 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
 19 Restrictions Act, or their successors, and other fiscal control laws of this
 20 State, where applicable, and regulations promulgated by the Department of
 21 Finance and Administration, as authorized by law, shall be strictly complied
 22 with in disbursement of said funds.

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24 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
 25 that any funds disbursed under the authority of the appropriations contained
 26 in this act shall be in compliance with the stated reasons for which this act
 27 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 28 and Legislative Recommendations contained in the budget manuals prepared by
 29 the Department of Finance and Administration, letters, or summarized oral
 30 testimony in the official minutes of the Arkansas Legislative Council or Joint
 31 Budget Committee which relate to its passage and adoption.

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33 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
 34 Assembly, that the Constitution of the State of Arkansas prohibits the
 35 appropriation of funds for more than a two (2) year period; that the
 36 effectiveness of this Act on July 1, 2001 is essential to the operation of the

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

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10 **APPROVED: 2/9/2001**
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