

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 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 72 of 2003
HOUSE BILL 1162

5 By: Joint Budget Committee
6
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 STATE BOARD OF REGISTRATION OF FORESTERS FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS STATE BOARD OF
17 REGISTRATION OF FORESTERS APPROPRIATION
18 FOR THE 2003-2005 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. EXTRA HELP. There is hereby authorized, for the Arkansas State
25 Board of Registration of Foresters for the 2003-2005 biennium, the following
26 maximum number of part-time or temporary employees, to be known as "Extra
27 Help", payable from funds appropriated herein for such purposes: one (1)
28 temporary or part-time employees, when needed, at rates of pay not to exceed
29 those provided in the Uniform Classification and Compensation Act, or its
30 successor, or this act for the appropriate classification.
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32 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Arkansas
33 State Board of Registration of Foresters, to be payable from cash funds as
34 defined by Arkansas Code 19-4-801 of the Arkansas State Board of Registration
35 of Foresters, for personal services and operating expenses of the Arkansas
36 State Board of Registration of Foresters for the biennial period ending June



1 30, 2005, the following:

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3	ITEM	FISCAL YEARS	
4	<u>NO.</u>	2003-2004	2004-2005
5	(01) EXTRA HELP	\$ 12,000	\$ 12,000
6	(02) PERSONAL SERV MATCH	925	925
7	(03) MAINT. & GEN. OPERATION		
8	(A) OPER. EXPENSE	7,100	7,100
9	(B) CONF. & TRAVEL	0	0
10	(C) PROF. FEES	0	0
11	(D) CAP. OUTLAY	0	0
12	(E) DATA PROC.	<u>0</u>	<u>0</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 20,025</u>	<u>\$ 20,025</u>

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15 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 16 this Act for Maintenance and General Operation shall be expended in payment
 17 for services of attorneys, unless the agency shall first make a request in
 18 writing to the Attorney General of the State of Arkansas to provide the
 19 required legal services. The Attorney General's Office shall provide the
 20 requested legal services, or, if the Attorney General's Office shall
 21 determine that sufficient personnel are not available to provide the
 22 requested legal services, the Attorney General shall certify the same to the
 23 agency and may authorize the agency to employ legal counsel and to expend
 24 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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35 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 36 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. REGISTRATION

1 OF FORESTERS BOARD CASH FUND. (A) For all appropriations as provided in this
2 Act, the agency disbursing officer shall monitor the level of fund balances
3 in relation to expenditures on a monthly basis. If any proposed expenditures
4 would cause the Registration of Foresters Board Cash Fund to decline below
5 Five Thousand Two Hundred Eighty Three Dollars (\$5,283) ~~a fund balance to~~
6 ~~decline to less than fifty percent (50%) of the balance available on July 1,~~
7 ~~2001,~~ the disbursing officer shall immediately notify the executive head of
8 the agency. Prior to any obligations being made under these circumstances,
9 the agency head shall file written documentation with the Chief Fiscal
10 Officer of the State requesting approval of the expenditures. Such
11 documentation shall provide sufficient financial data to justify the
12 expenditures and shall include the following:

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

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

25 The provisions of this section shall be in effect only from July 1, 2003
26 through June 30, 2005.

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28 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
29 by this act shall be limited to the appropriation for such agency and funds
30 made available by law for the support of such appropriations; and the
31 restrictions of the State Purchasing Law, the General Accounting and
32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
33 Procedures and Restrictions Act, or their successors, and other fiscal
34 control laws of this State, where applicable, and regulations promulgated by
35 the Department of Finance and Administration, as authorized by law, shall be
36 strictly complied with in disbursement of said funds.

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

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2003 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2003 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2003.

APPROVED: 2/5/2003