

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.

Act 37 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 1056

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING  
10 EXPENSES FOR THE ARKANSAS STATE BOARD OF  
11 REGISTRATION FOR PROFESSIONAL SOIL CLASSIFIERS  
12 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND  
13 FOR OTHER PURPOSES.

## Subtitle

16 AN ACT FOR THE ARKANSAS STATE BOARD OF  
17 REGISTRATION FOR PROFESSIONAL SOIL  
18 CLASSIFIERS APPROPRIATION FOR THE  
19 2005-2007 BIENNIUM.

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

25 SECTION 1. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to  
26 the Arkansas State Board of Registration for Professional Soil Classifiers,  
27 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the  
28 Arkansas State Board of Registration for Professional Soil Classifiers, for  
29 operating expenses of the Arkansas State Board of Registration for  
30 Professional Soil Classifiers for the biennial period ending June 30, 2007,  
31 the following:

33 ITEM	34 FISCAL YEARS	
35 NO.	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		



1	(A) OPER. EXPENSE	\$	1,296	\$	1,296
2	(B) CONF. & TRAVEL		0		0
3	(C) PROF. FEES		0		0
4	(D) CAP. OUTLAY		0		0
5	(E) DATA PROC.		<u>0</u>		<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	\$	<u>1,296</u>	\$	<u>1,296</u>

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

- 18 (1) The Attorney General determines, and certifies in writing, that such  
19 agency needs the advice or assistance of legal counsel, and  
20 (2) The Attorney General consents in writing to the employment of the  
21 legal counsel to be retained by the agency.

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

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28 SECTION 3. 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 Procurement 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 4. 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 5. 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, 2005 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, 2005 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, 2005.

APPROVED: 2/1/2005

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