

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 38 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

A Bill

HOUSE BILL 1057

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

9 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING  
10 EXPENSES FOR THE STATE BOARD OF EXAMINERS OF  
11 ALCOHOLISM AND DRUG ABUSE COUNSELORS FOR THE  
12 BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR  
13 OTHER PURPOSES.  
14

15 Subtitle

16 AN ACT FOR THE STATE BOARD OF EXAMINERS  
17 OF ALCOHOLISM AND DRUG ABUSE COUNSELORS  
18 APPROPRIATION FOR THE 2005-2007  
19 BIENNIUM.  
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21  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to  
26 the State Board of Examiners of Alcoholism and Drug Abuse Counselors, to be  
27 payable from cash funds as defined by Arkansas Code 19-4-801 of the State  
28 Board of Examiners of Alcoholism and Drug Abuse Counselors, for operating  
29 expenses of the State Board of Examiners of Alcoholism and Drug Abuse  
30 Counselors for the biennial period ending June 30, 2007, the following:  
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ITEM	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 13,000	\$ 13,000



1	(B) CONF. & TRAVEL	0	0
2	(C) PROF. FEES	5,000	5,000
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	<u>0</u>	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 18,000</u>	<u>\$ 18,000</u>

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

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

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

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

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1 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly  
2 that any funds disbursed under the authority of the appropriations contained  
3 in this act shall be in compliance with the stated reasons for which this act  
4 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
5 and Legislative Recommendations contained in the budget manuals prepared by  
6 the Department of Finance and Administration, letters, or summarized oral  
7 testimony in the official minutes of the Arkansas Legislative Council or  
8 Joint Budget Committee which relate to its passage and adoption.

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10 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
11 Assembly, that the Constitution of the State of Arkansas prohibits the  
12 appropriation of funds for more than a two (2) year period; that the  
13 effectiveness of this Act on July 1, 2005 is essential to the operation of  
14 the agency for which the appropriations in this Act are provided, and that in  
15 the event of an extension of the Regular Session, the delay in the effective  
16 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
17 proper administration and provision of essential governmental programs.  
18 Therefore, an emergency is hereby declared to exist and this Act being  
19 necessary for the immediate preservation of the public peace, health and  
20 safety shall be in full force and effect from and after July 1, 2005.

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24 APPROVED: 2/1/2005  
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