

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 48 of the Regular Session

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

A Bill

HOUSE BILL 1088

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 DIETETICS LICENSING BOARD FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

Subtitle

16 AN ACT FOR THE ARKANSAS DIETETICS
17 LICENSING BOARD APPROPRIATION FOR THE
18 2005-2007 BIENNIUM.

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

23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
24 the Arkansas Dietetics Licensing Board for the 2005-2007 biennium, the
25 following maximum number of regular employees whose salaries shall be
26 governed by the provisions of the Uniform Classification and Compensation Act
27 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
28 thereto. Provided, however, that any position to which a specific maximum
29 annual salary is set out herein in dollars, shall be exempt from the
30 provisions of said Uniform Classification and Compensation Act. All persons
31 occupying positions authorized herein are hereby governed by the provisions
32 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
33 101), or its successor.

34
35 Maximum Annual



Item	Class	Maximum	Salary Rate		
No.	Code	No. of	Fiscal Years		
No.	Code	Title	Employees	2005-2006	2006-2007
(1)	7180	DIETETICS LIC BD SECRETARY	<u>1</u>	\$16,047	\$16,647
		MAX. NO. OF EMPLOYEES	1		

SECTION 2. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to the Arkansas Dietetics Licensing Board, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Dietetics Licensing Board, for personal services and operating expenses of the Arkansas Dietetics Licensing Board for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 16,047	\$ 16,647
(02) PERSONAL SERVICES MATCHING	6,858	6,970
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	8,229	8,229
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 31,134</u>	<u>\$ 31,846</u>

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

- (1) The Attorney General determines, and certifies in writing, that such

1 agency needs the advice or assistance of legal counsel, and

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

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

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 10 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 11 by this act shall be limited to the appropriation for such agency and funds
 12 made available by law for the support of such appropriations; and the
 13 restrictions of the State Procurement Law, the General Accounting and
 14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 15 Procedures and Restrictions Act, or their successors, and other fiscal
 16 control laws of this State, where applicable, and regulations promulgated by
 17 the Department of Finance and Administration, as authorized by law, shall be
 18 strictly complied with in disbursement of said funds.

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

28
 29 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
 30 Assembly, that the Constitution of the State of Arkansas prohibits the
 31 appropriation of funds for more than a two (2) year period; that the
 32 effectiveness of this Act on July 1, 2005 is essential to the operation of
 33 the agency for which the appropriations in this Act are provided, and that in
 34 the event of an extension of the Regular Session, the delay in the effective
 35 date of this Act beyond July 1, 2005 could work irreparable harm upon the
 36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 2005.

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7 APPROVED: 2/1/2005
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