

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 45 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1076

4
5 By: Joint Budget Committee
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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 STATE
11 BOARD OF EXAMINERS OF ALCOHOLISM AND DRUG ABUSE
12 COUNSELORS FOR THE FISCAL YEAR ENDING JUNE 30,
13 2010; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE STATE BOARD OF EXAMINERS
17 OF ALCOHOLISM AND DRUG ABUSE COUNSELORS
18 APPROPRIATION FOR THE 2009-2010 FISCAL
19 YEAR.
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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 personal
29 services and operating expenses of the State Board of Examiners of Alcoholism
30 and Drug Abuse Counselors for the fiscal year ending June 30, 2010, the
31 following:
32

33 ITEM	FISCAL YEAR
34 NO.	2009-2010
35 (01) REGULAR SALARIES	\$ 5,400



1	(02) PERSONAL SERVICES MATCHING	413
2	(03) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	12,000
4	(B) CONF. & TRAVEL	0
5	(C) PROF. FEES	7,300
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 25,113</u>

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

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

24 Such certification shall be required with respect to each instance of the
 25 employment of special legal counsel, or shall be required annually with
 26 respect to legal counsel employed on a retainer basis. A copy of such
 27 certification shall be entered in the official minutes of the agency, and
 28 shall be retained in the fiscal records of the agency for audit purposes.
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30 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 31 by this act shall be limited to the appropriation for such agency and funds
 32 made available by law for the support of such appropriations; and the
 33 restrictions of the State Procurement Law, the General Accounting and
 34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 35 Procedures and Restrictions Act, or their successors, and other fiscal
 36 control laws of this State, where applicable, and regulations promulgated by

1 the Department of Finance and Administration, as authorized by law, shall be
2 strictly complied with in disbursement of said funds.

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

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13 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
14 Assembly, that the Constitution of the State of Arkansas prohibits the
15 appropriation of funds for more than a one (1) year period; that the
16 effectiveness of this Act on July 1, 2009 is essential to the operation of
17 the agency for which the appropriations in this Act are provided, and that in
18 the event of an extension of the Regular Session, the delay in the effective
19 date of this Act beyond July 1, 2009 could work irreparable harm upon the
20 proper administration and provision of essential governmental programs.
21 Therefore, an emergency is hereby declared to exist and this Act being
22 necessary for the immediate preservation of the public peace, health and
23 safety shall be in full force and effect from and after July 1, 2009.

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27 **APPROVED: 2/5/2009**
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