

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 46 of the Regular Session

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

A Bill

HOUSE BILL 1077

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

8
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 FISCAL YEAR ENDING JUNE 30, 2010; AND FOR
13 OTHER PURPOSES.
14

Subtitle

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17 AN ACT FOR THE ARKANSAS STATE BOARD OF
18 REGISTRATION FOR PROFESSIONAL SOIL
19 CLASSIFIERS APPROPRIATION FOR THE
20 2009-2010 FISCAL YEAR.
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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 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 fiscal year ending June 30, 2010, the
31 following:
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33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2009-2010</u>
35 (01) MAINT. & GEN. OPERATION	



1	(A) OPER. EXPENSE	\$	1,296
2	(B) CONF. & TRAVEL		0
3	(C) PROF. FEES		0
4	(D) CAP. OUTLAY		0
5	(E) DATA PROC.		<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	\$	<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 one (1) year period; that the effectiveness of this Act on July 1, 2009 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, 2009 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, 2009.

APPROVED: 2/5/2009