

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1071

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE STATE BOARD OF
10 EXAMINERS OF ALCOHOLISM AND DRUG ABUSE COUNSELORS FOR
11 THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER
12 PURPOSES.
13
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Subtitle

15 AN ACT FOR THE STATE BOARD OF EXAMINERS OF
16 ALCOHOLISM AND DRUG ABUSE COUNSELORS
17 APPROPRIATION FOR THE 2011-2012 FISCAL
18 YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. APPROPRIATION - OPERATIONS. There is hereby appropriated,
25 to the State Board of Examiners of Alcoholism and Drug Abuse Counselors, to
26 be payable from cash funds as defined by Arkansas Code 19-4-801 of the State
27 Board of Examiners of Alcoholism and Drug Abuse Counselors, for personal
28 services and operating expenses of the State Board of Examiners of Alcoholism
29 and Drug Abuse Counselors for the fiscal year ending June 30, 2012, the
30 following:
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| 32 ITEM | FISCAL YEAR |
|------------------------------------|------------------|
| 33 <u>NO.</u> | <u>2011-2012</u> |
| 34 (01) REGULAR SALARIES | \$5,400 |
| 35 (02) PERSONAL SERVICES MATCHING | 413 |
| 36 (03) MAINT. & GEN. OPERATION | |



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|---|---------------------------|------------------------|
| 1 | (A) OPER. EXPENSE | 12,000 |
| 2 | (B) CONF. & TRAVEL | 0 |
| 3 | (C) PROF. FEES | 7,300 |
| 4 | (D) CAP. OUTLAY | 0 |
| 5 | (E) DATA PROC. | <u>0</u> |
| 6 | TOTAL AMOUNT APPROPRIATED | <u><u>\$25,113</u></u> |

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SECTION 2. 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 agency needs the advice or assistance of legal counsel, and
- (2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency.

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

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

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

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11 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
12 Assembly, that the Constitution of the State of Arkansas prohibits the
13 appropriation of funds for more than a one (1) year period; that the
14 effectiveness of this Act on July 1, 2011 is essential to the operation of
15 the agency for which the appropriations in this Act are provided, and that in
16 the event of an extension of the legislative session, the delay in the
17 effective date of this Act beyond July 1, 2011 could work irreparable harm
18 upon the proper administration and provision of essential governmental
19 programs. Therefore, an emergency is hereby declared to exist and this Act
20 being necessary for the immediate preservation of the public peace, health
21 and safety shall be in full force and effect from and after July 1, 2011.

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24 APPROVED: 02/09/2011
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