

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1040

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING
9 EXPENSES FOR THE ARKANSAS STATE BOARD OF REGISTRATION
10 FOR PROFESSIONAL SOIL CLASSIFIERS FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2013; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE ARKANSAS STATE BOARD OF
15 REGISTRATION FOR PROFESSIONAL SOIL
16 CLASSIFIERS APPROPRIATION FOR THE 2012-2013
17 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION - OPERATIONS. There is hereby appropriated,
24 to the Arkansas State Board of Registration for Professional Soil
25 Classifiers, to be payable from cash funds as defined by Arkansas Code
26 19-4-801 of the Arkansas State Board of Registration for Professional Soil
27 Classifiers, for operating expenses of the Arkansas State Board of
28 Registration for Professional Soil Classifiers for the fiscal year ending
29 June 30, 2013, the following:
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31 ITEM	FISCAL YEAR
32 NO.	<u>2012-2013</u>
33 (01) MAINT. & GEN. OPERATION	
34 (A) OPER. EXPENSE	\$1,296
35 (B) CONF. & TRAVEL	0
36 (C) PROF. FEES	0



1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,296</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.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.
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8 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2012 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the legislative session, the delay in the
14 effective date of this Act beyond July 1, 2012 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2012.
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21 **APPROVED: 02/21/2012**
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