

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

ACT 38 OF 1993
SENATE BILL 115

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
9 FOR THE ARKANSAS STATE BOARD OF REGISTRATION FOR
10 PROFESSIONAL SOIL CLASSIFIERS FOR THE BIENNIAL PERIOD
11 ENDING JUNE 30, 1995; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE ARKANSAS STATE BOARD OF REGISTRATION FOR
15 PROFESSIONAL SOIL CLASSIFIERS APPROPRIATION."

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

19 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
20 Arkansas State Board of Registration for Professional Soil Classifiers, to be
21 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
22 State Board of Registration for Professional Soil Classifiers, for operating
23 expenses of the Arkansas State Board of Registration for Professional Soil
24 Classifiers for the biennial period ending June 30, 1995, the following:

26 ITEM	27 FISCAL YEARS	
NO.	1993-94	1994-95
28 (01) MAINT. & GEN. OPERATION		
29 (A) OPER. EXPENSE \$	1,377 \$	1,377
30 (B) CONF. & TRVL.	0	0
31 (C) PROF. FEES	0	0
32 (D) CAP. OUTLAY	0	0
33 (E) DATA PROC.	0	0
34 TOTAL MAINT. & GEN. OPER.	<u>1,377</u>	<u>1,377</u>
35 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,377</u>	<u>\$ 1,377</u>

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1 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
2 this Act for Maintenance and General Operation shall be expended in payment
3 for services of attorneys, unless the agency shall first make a request in
4 writing to the Attorney General of the State of Arkansas to provide the
5 required legal services. The Attorney General's Office shall provide the
6 requested legal services, or, if the Attorney General's Office shall determine
7 that sufficient personnel are not available to provide the requested legal
8 services, the Attorney General shall certify the same to the agency and may
9 authorize the agency to employ legal counsel and to expend monies appropriated
10 for Maintenance and General Operations therefor, if:

11 (1) The Attorney General determines, and certifies in writing, that
12 such agency needs the advice or assistance of legal counsel, and

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

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

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

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31 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this Act shall be in compliance with the stated reasons for which
34 this Act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.

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5 SECTION 5. CODE. All provisions of this Act of a general and permanent
6 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
7 Code Revision Commission shall incorporate the same in the Code.

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9 SECTION 6. SEVERABILITY. If any provision of this Act or the
10 application thereof to any person or circumstance is held invalid, such
11 invalidity shall not affect other provisions or applications of the Act which
12 can be given effect without the invalid provision or application, and to this
13 end the provisions of this Act are declared to be severable.

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15 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict
16 with this Act are hereby repealed.

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18 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
19 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
20 prohibits the appropriation of funds for more than a two (2) year period; that
21 the effectiveness of this Act on July 1, 1993 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the Regular Session, the delay in the effective
24 date of this Act beyond July 1, 1993 could work irreparable harm upon the
25 proper administration and provision of essential governmental programs.
26 Therefore, an emergency is hereby declared to exist and this Act being
27 necessary for the immediate preservation of the public peace, health and
28 safety shall be in full force and effect from and after July 1, 1993.

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30 APPROVED: 2/4/93

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