

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Joint Budget Committee**

# A Bill

**ACT 48 OF 1995**  
**SENATE BILL 28**

## 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, 1997; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE ARKANSAS STATE BOARD OF  
15 REGISTRATION FOR PROFESSIONAL SOIL  
16 CLASSIFIERS APPROPRIATION FOR THE  
17 1995-97 BIENNIUM."

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

21 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
22 Arkansas State Board of Registration for Professional Soil Classifiers, to be  
23 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas  
24 State Board of Registration for Professional Soil Classifiers, for operating  
25 expenses of the Arkansas State Board of Registration for Professional Soil  
26 Classifiers for the biennial period ending June 30, 1997, the following:

28 ITEM	29 FISCAL YEARS	
	<del>1995-96</del>	<del>1996-97</del>
30 (01) MAINT. & GEN. OPERATION		
31 (A) OPER. EXPENSE \$	1,349 \$	1,349
32 (B) CONF. & TRVL.	0	0
33 (C) PROF. FEES	0	0
34 (D) CAP. OUTLAY	0	0
35 (E) DATA PROC.	0	0
36 TOTAL MAINT. & GEN. OPER.	<u>1,349</u>	<u>1,349</u>

1 TOTAL AMOUNT APPROPRIATED \$ 1,349 \$ 1,349

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

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

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

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

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

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33 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
34 Assembly that any funds disbursed under the authority of the appropriations  
35 contained in this Act shall be in compliance with the stated reasons for which

1 this Act was adopted, as evidenced by the Agency Requests, Executive  
2 Recommendations and Legislative Recommendations contained in the budget  
3 manuals prepared by the Department of Finance and Administration, letters, or  
4 summarized oral testimony in the official minutes of the Arkansas Legislative  
5 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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20 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
21 Eightieth General Assembly, that the Constitution of the State of Arkansas  
22 prohibits the appropriation of funds for more than a two (2) year period; that  
23 the effectiveness of this Act on July 1, 1995 is essential to the operation of  
24 the agency for which the appropriations in this Act are provided, and that in  
25 the event of an extension of the Regular Session, the delay in the effective  
26 date of this Act beyond July 1, 1995 could work irreparable harm upon the  
27 proper administration and provision of essential governmental programs.  
28 Therefore, an emergency is hereby declared to exist and this Act being  
29 necessary for the immediate preservation of the public peace, health and  
30 safety shall be in full force and effect from and after July 1, 1995.

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APPROVED: 1/26/95

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