

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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7

A Bill

HOUSE BILL

1041

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
 9 FOR THE COMMITTEE FOR REGISTRATION OF LANDSCAPE ARCHITECTS
 10 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR
 11 OTHER PURPOSES."

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Subtitle

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"AN ACT FOR THE COMMITTEE FOR
 REGISTRATION OF LANDSCAPE ARCHITECTS
 APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

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SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
 Committee for Registration of Landscape Architects, to be payable from cash
 funds as defined by Arkansas Code 19-4-801 of the Committee for Registration
 of Landscape Architects, for operating expenses of the Committee for
 Registration of Landscape Architects for the biennial period ending June 30,
 1997, the following:

27 ITEM

FISCAL YEARS

28 NO.

1995-96

1996-97

29 (01) MAINT. & GEN. OPERATION

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(A) OPER. EXPENSE \$	7,895	\$	8,295
(B) CONF. & TRVL.	0		0
(C) PROF. FEES	3,350		3,350
(D) CAP. OUTLAY	0		0
(E) DATA PROC.	0		0
TOTAL MAINT. & GEN. OPER.			<u>11,245</u>

1	<u>11,645</u>	
2	(02) EXAMINATIONS	<u>7,720</u>
3	<u>8,220</u>	
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 18,965 \$</u>
5	<u>19,865</u>	

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

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

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

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

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27 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
28 authorized by this Act shall be limited to the appropriation for such agency
29 and funds made available by law for the support of such appropriations; and
30 the restrictions of the State Purchasing Law, the General Accounting and
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
32 Procedures and Restrictions Act, or their successors, and other fiscal
33 control laws of this State, where applicable, and regulations promulgated by
34 the Department of Finance and Administration, as authorized by law, shall be
35 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. CODE. All provisions of this Act of a general and
12 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
13 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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

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

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

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