

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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A Bill

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."

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Subtitle

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

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

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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:

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28	ITEM	FISCAL YEARS	
29	NO.	1995-96	1996-97
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

1	TOTAL MAINT. & GEN. OPER.	<u>1,349</u>
2	<u>1,349</u>	
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,349 \$</u>
4	<u>1,349</u>	

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

- 16 (1) The Attorney General determines, and certifies in writing, that
17 such agency needs the advice or assistance of legal counsel, and
18 (2) The Attorney General consents in writing to the employment of the
19 legal counsel to be retained by the agency.

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

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

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

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

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

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

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

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