

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1181

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF
11 REGISTRATION OF FORESTERS FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS STATE BOARD OF
16 REGISTRATION OF FORESTERS APPROPRIATION
17 FOR THE 2001-2003 BIENNIAL PERIOD.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. EXTRA HELP. There is hereby authorized, for the Arkansas State
24 Board of Registration of Foresters for the 2001-2003 biennium, the following
25 maximum number of part-time or temporary employees, to be known as "Extra
26 Help", payable from funds appropriated herein for such purposes: one (1)
27 temporary or part-time employees, when needed, at rates of pay not to exceed
28 those provided in the Uniform Classification and Compensation Act, or its
29 successor, or this act for the appropriate classification.
30

31 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Arkansas
32 State Board of Registration of Foresters, to be payable from cash funds as
33 defined by Arkansas Code 19-4-801 of the Arkansas State Board of Registration
34 of Foresters, for personal services and operating expenses of the Arkansas
35 State Board of Registration of Foresters for the biennial period ending June
36 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) EXTRA HELP	\$ 6,000	\$ 6,000
(02) PERSONAL SERV MATCHING	459	459
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	4,012	4,012
(B) CONF. & TRAVEL	2,014	2,014
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 12,485</u>	<u>\$ 12,485</u>

SECTION 3. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent depletion of the fund balance.

(B) The Chief Fiscal Officer of the State shall review the request and approve or disapprove all or any part of the request , after having sought

1 prior review by the Legislative Council.

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

13 (1) The Attorney General determines, and certifies in writing, that such
14 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 the
18 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.

22
23 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
24 this act shall be limited to the appropriation for such agency and funds made
25 available by law for the support of such appropriations; and the restrictions
26 of the State Purchasing Law, the General Accounting and Budgetary Procedures
27 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
28 Restrictions Act, or their successors, and other fiscal control laws of this
29 State, where applicable, and regulations promulgated by the Department of
30 Finance and Administration, as authorized by law, shall be strictly complied
31 with in disbursement of said funds.

32
33 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
34 that any funds disbursed under the authority of the appropriations contained
35 in this act shall be in compliance with the stated reasons for which this act
36 was adopted, as evidenced by the Agency Requests, Executive Recommendations

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

5
6 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
7 Assembly, that the Constitution of the State of Arkansas prohibits the
8 appropriation of funds for more than a two (2) year period; that the
9 effectiveness of this Act on July 1, 2001 is essential to the operation of the
10 agency for which the appropriations in this Act are provided, and that in the
11 event of an extension of the Regular Session, the delay in the effective date
12 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
13 administration and provision of essential governmental programs. Therefore, an
14 emergency is hereby declared to exist and this Act being necessary for the
15 immediate preservation of the public peace, health and safety shall be in full
16 force and effect from and after July 1, 2001.