

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 1244

4
5 By: Joint Budget Committee
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7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
10 FOR THE ARKANSAS STATE BOARD OF REGISTRATION FOR
11 PROFESSIONAL SOIL CLASSIFIERS FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.
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Subtitle

15 AN ACT FOR THE ARKANSAS STATE BOARD
16 OF REGISTRATION FOR PROFESSIONAL
17 SOIL CLASSIFIERS APPROPRIATION FOR
18 THE 2001-2003 BIENNIAL PERIOD.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Arkansas
25 State Board of Registration for Professional Soil Classifiers, to be payable
26 from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas State
27 Board of Registration for Professional Soil Classifiers, for operating
28 expenses of the Arkansas State Board of Registration for Professional Soil
29 Classifiers for the biennial period ending June 30, 2003, the following:
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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 1,296	\$ 1,296
(B) CONF. & TRAVEL	0	0

1	(C) PROF. FEES	0	0
2	(D) CAP. OUTLAY	0	0
3	(E) DATA PROC.	<u>0</u>	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,296</u>	<u>\$ 1,296</u>

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6 SECTION 2. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED

7 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all

8 appropriations as provided in this Act, the agency disbursing officer shall

9 monitor the level of fund balances in relation to expenditures on a monthly

10 basis. If any proposed expenditures would cause a fund balance to decline to

11 less than fifty percent (50%) of the balance available on July 1, 2001, the

12 disbursing officer shall immediately notify the executive head of the agency.

13 Prior to any obligations being made under these circumstances, the agency

14 head shall file written documentation with the Chief Fiscal Officer of the

15 State requesting approval of the expenditures. Such documentation shall

16 provide sufficient financial data to justify the expenditures and shall

17 include the following:

18 1) a plan that clearly indicates the specific fiscal impact of such

19 expenditures on the fund balance.

20 2) information clearly indicating and explaining what programs would be cut or

21 any other measures to be taken by the agency to restore the fund balance.

22 3) the extent to which any of the planned expenditures are for one-time costs

23 or one-time purchase of capitalized items.

24 4) a statement certifying that the expenditure of fund balances will not

25 jeopardize the financial health of the agency, nor result in a permanent

26 depletion of the fund balance.

27 (B) The Chief Fiscal Officer of the State shall review the request and

28 approve or disapprove all or any part of the request , after having sought

29 prior review by the Legislative Council.

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31 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this

32 Act for Maintenance and General Operation shall be expended in payment for

33 services of attorneys, unless the agency shall first make a request in writing

34 to the Attorney General of the State of Arkansas to provide the required legal

35 services. The Attorney General's Office shall provide the requested legal

36 services, or, if the Attorney General's Office shall determine that sufficient

1 personnel are not available to provide the requested legal services, the
2 Attorney General shall certify the same to the agency and may authorize the
3 agency to employ legal counsel and to expend monies appropriated for
4 Maintenance and General Operations therefor, if:

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

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

9 Such certification shall be required with respect to each instance of the
10 employment of special legal counsel, or shall be required annually with
11 respect to legal counsel employed on a retainer basis. A copy of such
12 certification shall be entered in the official minutes of the agency, and
13 shall be retained in the fiscal records of the agency for audit purposes.
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15 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
16 this act shall be limited to the appropriation for such agency and funds made
17 available by law for the support of such appropriations; and the restrictions
18 of the State Purchasing Law, the General Accounting and Budgetary Procedures
19 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
20 Restrictions Act, or their successors, and other fiscal control laws of this
21 State, where applicable, and regulations promulgated by the Department of
22 Finance and Administration, as authorized by law, shall be strictly complied
23 with in disbursement of said funds.
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25 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
26 that any funds disbursed under the authority of the appropriations contained
27 in this act shall be in compliance with the stated reasons for which this act
28 was adopted, as evidenced by the Agency Requests, Executive Recommendations
29 and Legislative Recommendations contained in the budget manuals prepared by
30 the Department of Finance and Administration, letters, or summarized oral
31 testimony in the official minutes of the Arkansas Legislative Council or Joint
32 Budget Committee which relate to its passage and adoption.
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34 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
35 Assembly, that the Constitution of the State of Arkansas prohibits the
36 appropriation of funds for more than a two (2) year period; that the

1 effectiveness of this Act on July 1, 2001 is essential to the operation of the
2 agency for which the appropriations in this Act are provided, and that in the
3 event of an extension of the Regular Session, the delay in the effective date
4 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
5 administration and provision of essential governmental programs. Therefore, an
6 emergency is hereby declared to exist and this Act being necessary for the
7 immediate preservation of the public peace, health and safety shall be in full
8 force and effect from and after July 1, 2001.

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