

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1045

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING
10 EXPENSES FOR THE ARKANSAS STATE BOARD OF
11 SANITARIANS FOR THE BIENNIAL PERIOD ENDING JUNE
12 30, 2007; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS STATE BOARD OF
16 SANITARIANS APPROPRIATION FOR THE
17 2005-2007 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
24 the Arkansas State Board of Sanitarians, to be payable from the cash fund
25 deposited in the State Treasury as determined by the Chief Fiscal Officer of
26 the State, for operating expenses of the Arkansas State Board of Sanitarians
27 for the biennial period ending June 30, 2007, the following:
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ITEM	FISCAL YEARS	
	2005-2006	2006-2007
NO.		
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 8,647	\$ 8,647
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	2,200	2,200
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>



1 TOTAL AMOUNT APPROPRIATED \$ 10,847 \$ 10,847

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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
9 determine that sufficient personnel are not available to provide the
10 requested legal services, the Attorney General shall certify the same to the
11 agency and may authorize the agency to employ legal counsel and to expend
12 monies appropriated for 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.

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23 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
24 by this act shall be limited to the appropriation for such agency and funds
25 made available by law for the support of such appropriations; and the
26 restrictions of the State Procurement 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
29 control laws of this State, where applicable, and regulations promulgated by
30 the 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 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
4 Joint Budget Committee which relate to its passage and adoption.

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6 SECTION 5. 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, 2005 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the Regular Session, the delay in the effective
12 date of this Act beyond July 1, 2005 could work irreparable harm upon the
13 proper administration and provision of essential governmental programs.
14 Therefore, an emergency is hereby declared to exist and this Act being
15 necessary for the immediate preservation of the public peace, health and
16 safety shall be in full force and effect from and after July 1, 2005.