

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

HOUSE BILL 1077

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR OPERATING
EXPENSES FOR THE ARKANSAS STATE BOARD OF
REGISTRATION FOR PROFESSIONAL SOIL CLASSIFIERS
FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS STATE BOARD OF
REGISTRATION FOR PROFESSIONAL SOIL
CLASSIFIERS APPROPRIATION FOR THE
2009-2010 FISCAL YEAR.

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

SECTION 1. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to the Arkansas State Board of Registration for Professional Soil Classifiers, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas State Board of Registration for Professional Soil Classifiers, for operating expenses of the Arkansas State Board of Registration for Professional Soil Classifiers for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 1,296



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

6

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 such
 18 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 the
 22 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.

26

27 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 28 by this act shall be limited to the appropriation for such agency and funds
 29 made available by law for the support of such appropriations; and the
 30 restrictions of the State Procurement 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.

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

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10 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
11 Assembly, that the Constitution of the State of Arkansas prohibits the
12 appropriation of funds for more than a one (1) year period; that the
13 effectiveness of this Act on July 1, 2009 is essential to the operation of
14 the agency for which the appropriations in this Act are provided, and that in
15 the event of an extension of the Regular Session, the delay in the effective
16 date of this Act beyond July 1, 2009 could work irreparable harm upon the
17 proper administration and provision of essential governmental programs.
18 Therefore, an emergency is hereby declared to exist and this Act being
19 necessary for the immediate preservation of the public peace, health and
20 safety shall be in full force and effect from and after July 1, 2009.