

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

SENATE BILL 32

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING
10 EXPENSES FOR THE ARKANSAS BOARD OF HEALTH
11 EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30,
12 2011; AND FOR OTHER PURPOSES.
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Subtitle

15 AN ACT FOR THE ARKANSAS BOARD OF HEALTH
16 EDUCATION APPROPRIATION FOR THE
17 2010-2011 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to
24 the Arkansas Board of Health Education, to be payable from cash funds as
25 defined by Arkansas Code 19-4-801 of the Arkansas Board of Health Education,
26 for operating expenses of the Arkansas Board of Health Education for the
27 fiscal year ending June 30, 2011, the following:
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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 5,592
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>



1 TOTAL AMOUNT APPROPRIATED \$ 5,592

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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 one (1) year period; that the
 9 effectiveness of this Act on July 1, 2010 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 legislative session, the delay in the
 12 effective date of this Act beyond July 1, 2010 could work irreparable harm
 13 upon the proper administration and provision of essential governmental
 14 programs. Therefore, an emergency is hereby declared to exist and this Act
 15 being necessary for the immediate preservation of the public peace, health
 16 and safety shall be in full force and effect from and after July 1, 2010.

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