

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

# A Bill

HOUSE BILL 1049

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
10 DIETETICS LICENSING BOARD FOR THE FISCAL YEAR  
11 ENDING JUNE 30, 2013; AND FOR OTHER PURPOSES.  
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13

## Subtitle

14 AN ACT FOR THE ARKANSAS DIETETICS LICENSING  
15 BOARD APPROPRIATION FOR THE 2012-2013  
16 FISCAL YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
23 for the Arkansas Dietetics Licensing Board for the 2012-2013 fiscal year, the  
24 following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
(1)	X141C	DIETETICS LICENSING BOARD SECRETARY	<u>1</u>	GRADE C115
		MAX. NO. OF EMPLOYEES	1	

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33 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
34 to the Arkansas Dietetics Licensing Board, to be payable from the cash fund  
35 deposited in the State Treasury as determined by the Chief Fiscal Officer of  
36 the State, for personal services and operating expenses of the Arkansas



1 Dietetics Licensing Board for the fiscal year ending June 30, 2013, the  
 2 following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2012-2013</u>
6 (01) REGULAR SALARIES	\$19,388
7 (02) PERSONAL SERVICES MATCHING	8,470
8 (03) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	8,229
10 (B) CONF. & TRAVEL	0
11 (C) PROF. FEES	0
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$36,087</u></u>

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 16 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 17 this Act for Maintenance and General Operation shall be expended in payment  
 18 for services of attorneys, unless the agency shall first make a request in  
 19 writing to the Attorney General of the State of Arkansas to provide the  
 20 required legal services. The Attorney General's Office shall provide the  
 21 requested legal services, or, if the Attorney General's Office shall  
 22 determine that sufficient personnel are not available to provide the  
 23 requested legal services, the Attorney General shall certify the same to the  
 24 agency and may authorize the agency to employ legal counsel and to expend  
 25 monies appropriated for Maintenance and General Operations therefor, if:

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

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

30 Such certification shall be required with respect to each instance of  
 31 the employment of special legal counsel, or shall be required annually with  
 32 respect to legal counsel employed on a retainer basis. A copy of such  
 33 certification shall be entered in the official minutes of the agency, and  
 34 shall be retained in the fiscal records of the agency for audit purposes.

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 36 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

1 authorized by this act shall be limited to the appropriation for such agency  
2 and funds made available by law for the support of such appropriations; and  
3 the restrictions of the State Procurement Law, the General Accounting and  
4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
5 Procedures and Restrictions Act, or their successors, and other fiscal  
6 control laws of this State, where applicable, and regulations promulgated by  
7 the Department of Finance and Administration, as authorized by law, shall be  
8 strictly complied with in disbursement of said funds.

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

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19 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
20 Assembly, that the Constitution of the State of Arkansas prohibits the  
21 appropriation of funds for more than a one (1) year period; that the  
22 effectiveness of this Act on July 1, 2012 is essential to the operation of  
23 the agency for which the appropriations in this Act are provided, and that in  
24 the event of an extension of the legislative session, the delay in the  
25 effective date of this Act beyond July 1, 2012 could work irreparable harm  
26 upon the proper administration and provision of essential governmental  
27 programs. Therefore, an emergency is hereby declared to exist and this Act  
28 being necessary for the immediate preservation of the public peace, health  
29 and safety shall be in full force and effect from and after July 1, 2012.