

State of Arkansas
90th General Assembly
Fiscal Session, 2016

A Bill

HOUSE BILL 1129

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE STATE BOARD OF
EXAMINERS OF ALCOHOLISM AND DRUG ABUSE COUNSELORS FOR
THE FISCAL YEAR ENDING JUNE 30, 2017; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE STATE BOARD OF EXAMINERS
OF ALCOHOLISM AND DRUG ABUSE COUNSELORS
APPROPRIATION FOR THE 2016-2017 FISCAL
YEAR.

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

SECTION 1. APPROPRIATION - OPERATIONS. There is hereby appropriated,
to the State Board of Examiners of Alcoholism and Drug Abuse Counselors, to
be payable from the cash fund deposited in the State Treasury as determined
by the Chief Fiscal Officer of the State, for personal services and operating
expenses of the State Board of Examiners of Alcoholism and Drug Abuse
Counselors for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$7,400
(02) PERSONAL SERVICES MATCHING	566
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	12,000



1	(B) CONF. & TRAVEL	0
2	(C) PROF. FEES	12,000
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$31,966</u></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

18 such 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

22 the 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

28 authorized by this act shall be limited to the appropriation for such agency

29 and funds made available by law for the support of such appropriations; and

30 the 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.

36

1 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
2 Assembly that any funds disbursed under the authority of the appropriations
3 contained in this act shall be in compliance with the stated reasons for
4 which this act was adopted, as evidenced by the Agency Requests, Executive
5 Recommendations and Legislative Recommendations contained in the budget
6 manuals prepared by the Department of Finance and Administration, letters, or
7 summarized oral testimony in the official minutes of the Arkansas Legislative
8 Council or 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, 2016 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 legislative session, the delay in the
16 effective date of this Act beyond July 1, 2016 could work irreparable harm
17 upon the proper administration and provision of essential governmental
18 programs. Therefore, an emergency is hereby declared to exist and this Act
19 being necessary for the immediate preservation of the public peace, health
20 and safety shall be in full force and effect from and after July 1, 2016.