

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

# A Bill

HOUSE BILL 1038

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 STATE  
10 BOARD OF EXAMINERS OF ALCOHOLISM AND DRUG ABUSE  
11 COUNSELORS FOR THE FISCAL YEAR ENDING JUNE 30,  
12 2013; AND FOR OTHER PURPOSES.  
13

## Subtitle

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15 AN ACT FOR THE STATE BOARD OF EXAMINERS OF  
16 ALCOHOLISM AND DRUG ABUSE COUNSELORS  
17 APPROPRIATION FOR THE 2012-2013 FISCAL  
18 YEAR.  
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
25 to the State Board of Examiners of Alcoholism and Drug Abuse Counselors, to  
26 be payable from cash funds as defined by Arkansas Code 19-4-801 of the State  
27 Board of Examiners of Alcoholism and Drug Abuse Counselors, for personal  
28 services and operating expenses of the State Board of Examiners of Alcoholism  
29 and Drug Abuse Counselors for the fiscal year ending June 30, 2013, the  
30 following:  
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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$5,400
(02) PERSONAL SERVICES MATCHING	413
(03) MAINT. & GEN. OPERATION	



1	(A) OPER. EXPENSE	12,000
2	(B) CONF. & TRAVEL	0
3	(C) PROF. FEES	7,300
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$25,113</u></u>

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8 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 9 this Act for Maintenance and General Operation shall be expended in payment  
 10 for services of attorneys, unless the agency shall first make a request in  
 11 writing to the Attorney General of the State of Arkansas to provide the  
 12 required legal services. The Attorney General's Office shall provide the  
 13 requested legal services, or, if the Attorney General's Office shall  
 14 determine that sufficient personnel are not available to provide the  
 15 requested legal services, the Attorney General shall certify the same to the  
 16 agency and may authorize the agency to employ legal counsel and to expend  
 17 monies appropriated for Maintenance and General Operations therefor, if:

- 18 (1) The Attorney General determines, and certifies in writing, that  
 19 such agency needs the advice or assistance of legal counsel, and  
 20 (2) The Attorney General consents in writing to the employment of the  
 21 legal counsel to be retained by the agency.

22 Such certification shall be required with respect to each instance of  
 23 the employment of special legal counsel, or shall be required annually with  
 24 respect to legal counsel employed on a retainer basis. A copy of such  
 25 certification shall be entered in the official minutes of the agency, and  
 26 shall be retained in the fiscal records of the agency for audit purposes.  
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28 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
 29 authorized by this act shall be limited to the appropriation for such agency  
 30 and funds made available by law for the support of such appropriations; and  
 31 the restrictions of the State Procurement Law, the General Accounting and  
 32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 33 Procedures and Restrictions Act, or their successors, and other fiscal  
 34 control laws of this State, where applicable, and regulations promulgated by  
 35 the Department of Finance and Administration, as authorized by law, shall be  
 36 strictly complied with in disbursement of said funds.

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

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11 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
12 Assembly, that the Constitution of the State of Arkansas prohibits the  
13 appropriation of funds for more than a one (1) year period; that the  
14 effectiveness of this Act on July 1, 2012 is essential to the operation of  
15 the agency for which the appropriations in this Act are provided, and that in  
16 the event of an extension of the legislative session, the delay in the  
17 effective date of this Act beyond July 1, 2012 could work irreparable harm  
18 upon the proper administration and provision of essential governmental  
19 programs. Therefore, an emergency is hereby declared to exist and this Act  
20 being necessary for the immediate preservation of the public peace, health  
21 and safety shall be in full force and effect from and after July 1, 2012.