

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

# A Bill

HOUSE BILL 1040

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING  
9 EXPENSES FOR THE ARKANSAS STATE BOARD OF  
10 REGISTRATION FOR PROFESSIONAL SOIL CLASSIFIERS  
11 FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND FOR  
12 OTHER PURPOSES.

## Subtitle

16 AN ACT FOR THE ARKANSAS STATE BOARD OF  
17 REGISTRATION FOR PROFESSIONAL SOIL  
18 CLASSIFIERS APPROPRIATION FOR THE 2012-2013  
19 FISCAL YEAR.

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

24 SECTION 1. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
25 to the Arkansas State Board of Registration for Professional Soil  
26 Classifiers, to be payable from cash funds as defined by Arkansas Code  
27 19-4-801 of the Arkansas State Board of Registration for Professional Soil  
28 Classifiers, for operating expenses of the Arkansas State Board of  
29 Registration for Professional Soil Classifiers for the fiscal year ending  
30 June 30, 2013, the following:

ITEM	FISCAL YEAR
NO.	2012-2013
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$1,296
(B) CONF. & TRAVEL	0



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

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

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

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

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26 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
27 authorized by this act shall be limited to the appropriation for such agency  
28 and funds made available by law for the support of such appropriations; and  
29 the restrictions of the State Procurement Law, the General Accounting and  
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
31 Procedures and Restrictions Act, or their successors, and other fiscal  
32 control laws of this State, where applicable, and regulations promulgated by  
33 the Department of Finance and Administration, as authorized by law, shall be  
34 strictly complied with in disbursement of said funds.

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36 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations  
2 contained in this act shall be in compliance with the stated reasons for  
3 which this act was adopted, as evidenced by the Agency Requests, Executive  
4 Recommendations and Legislative Recommendations contained in the budget  
5 manuals prepared by the Department of Finance and Administration, letters, or  
6 summarized oral testimony in the official minutes of the Arkansas Legislative  
7 Council or Joint Budget Committee which relate to its passage and adoption.  
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9 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
10 Assembly, that the Constitution of the State of Arkansas prohibits the  
11 appropriation of funds for more than a one (1) year period; that the  
12 effectiveness of this Act on July 1, 2012 is essential to the operation of  
13 the agency for which the appropriations in this Act are provided, and that in  
14 the event of an extension of the legislative session, the delay in the  
15 effective date of this Act beyond July 1, 2012 could work irreparable harm  
16 upon the proper administration and provision of essential governmental  
17 programs. Therefore, an emergency is hereby declared to exist and this Act  
18 being necessary for the immediate preservation of the public peace, health  
19 and safety shall be in full force and effect from and after July 1, 2012.  
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