

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.
12
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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.

35
 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.