

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

A Bill

HOUSE BILL 1071

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING
9 EXPENSES FOR THE ARKANSAS STATE BOARD OF
10 SANITARIANS FOR THE FISCAL YEAR ENDING JUNE 30,
11 2013; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE ARKANSAS STATE BOARD OF
15 SANITARIANS 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. APPROPRIATION - OPERATIONS. There is hereby appropriated,
23 to the Arkansas State Board of Sanitarians, to be payable from the cash fund
24 deposited in the State Treasury as determined by the Chief Fiscal Officer of
25 the State, for operating expenses of the Arkansas State Board of Sanitarians
26 for the fiscal year ending June 30, 2013, the following:
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| 28 ITEM | FISCAL YEAR |
|---------------------------------|------------------------|
| 29 <u>NO.</u> | <u>2012-2013</u> |
| 30 (01) MAINT. & GEN. OPERATION | |
| 31 (A) OPER. EXPENSE | \$8,647 |
| 32 (B) CONF. & TRAVEL | 0 |
| 33 (C) PROF. FEES | 5,000 |
| 34 (D) CAP. OUTLAY | 0 |
| 35 (E) DATA PROC. | <u>0</u> |
| 36 TOTAL AMOUNT APPROPRIATED | <u><u>\$13,647</u></u> |



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

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

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

16 Such certification shall be required with respect to each instance of
17 the employment of special legal counsel, or shall be required annually with
18 respect to legal counsel employed on a retainer basis. A copy of such
19 certification shall be entered in the official minutes of the agency, and
20 shall be retained in the fiscal records of the agency for audit purposes.
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22 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
23 authorized by this act shall be limited to the appropriation for such agency
24 and funds made available by law for the support of such appropriations; and
25 the restrictions of the State Procurement Law, the General Accounting and
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
27 Procedures and Restrictions Act, or their successors, and other fiscal
28 control laws of this State, where applicable, and regulations promulgated by
29 the Department of Finance and Administration, as authorized by law, shall be
30 strictly complied with in disbursement of said funds.
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32 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this act shall be in compliance with the stated reasons for
35 which this act was adopted, as evidenced by the Agency Requests, Executive
36 Recommendations and Legislative Recommendations contained in the budget

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

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