

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill ACT 124 OF 1991

## HOUSE BILL 1378

### For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE STATE BOARD OF REGISTRATION FOR  
10 PROFESSIONAL ENGINEERS & LAND SURVEYORS FOR THE BIENNIAL  
11 PERIOD ENDING JUNE 30, 1993; AND FOR OTHER PURPOSES."

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

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15 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
16 Board of Registration for Professional Engineers & Land Surveyors for the  
17 1991-93 biennium, the following maximum number of regular employees whose  
18 salaries shall be governed by the provisions of the Uniform Classification and  
19 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all  
20 laws amendatory thereto. Provided, however, that any position to which a  
21 specific maximum annual salary is set out herein in dollars, shall be exempt  
22 from the provisions of said Uniform Classification and Compensation Act. All  
23 persons occupying positions authorized herein are hereby governed by the  
24 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
25 Code §21-5-101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1991-92</del>	<del>1992-93</del>
31	(1)	7114 ENG & LAND SURV SECY/TREAS	1	\$ 27,328	\$ 28,694
32	(2)	7115 ENG & LAND SURV ASST SECRETARY	1	\$ 20,431	\$ 21,452
33	(3)	7116 ENG & LAND SURV CLERK-STENO	<u>1</u>	\$ 12,625	\$ 13,256
34		MAX NO. OF EMPLOYEES	3		

36 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State

1 Board of Registration for Professional Engineers & Land Surveyors, to be  
2 payable from cash funds as defined by Arkansas Code 19-4-801 of the State  
3 Board of Registration for Professional Engineers & Land Surveyors, for  
4 personal services and operating expenses of the State Board of Registration  
5 for Professional Engineers & Land Surveyors for the biennial period ending  
6 June 30, 1993, the following:

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8 ITEM	FISCAL YEARS	
9 <u>NO.</u>	<u>1991-92</u>	<u>1992-93</u>
10 (01) REGULAR SALARIES	\$ 60,384	\$ 63,402
11 (02) PERSONAL SERV MATCHING	15,382	16,278
12 (03) MAINT. & GEN. OPERATION		
13 (A) OPER. EXPENSES \$ 107,330	\$ 112,670	
14 (B) CONF. & TRAVEL 8,602	8,927	
15 (C) PROF. FEES 6,000	6,000	
16 (D) CAPITAL OUTLAY 10,000	500	
17 (E) DATA PROCESSING <u>0</u>	<u>0</u>	
18 TOTAL MAINT. & GEN. OPER.	<u>131,932</u>	<u>128,097</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 207,698</u>	<u>\$ 207,777</u>

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21 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
22 this Act for Maintenance and General Operation shall be expended in payment  
23 for services of attorneys, unless the agency shall first make a request in  
24 writing to the Attorney General of the State of Arkansas to provide the  
25 required legal services. The Attorney General's Office shall provide the  
26 requested legal services, or, if the Attorney General's Office shall determine  
27 that sufficient personnel are not available to provide the requested legal  
28 services, the Attorney General shall certify the same to the agency and may  
29 authorize the agency to employ legal counsel and to expend monies appropriated  
30 for Maintenance and General Operations therefor, if:

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

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

35 Such certification shall be required with respect to each instance of

1 the employment of special legal counsel, or shall be required annually with  
2 respect to legal counsel employed on a retainer basis. A copy of such  
3 certification shall be entered in the official minutes of the agency, and  
4 shall be retained in the fiscal records of the agency for audit purposes.

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6 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
7 authorized by this Act shall be limited to the appropriation for such agency  
8 and funds made available by law for the support of such appropriations; and  
9 the restrictions of the State Purchasing Law, the General Accounting and  
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
11 Procedures and Restrictions Act, or their successors, and other fiscal control  
12 laws of this State, where applicable, and regulations promulgated by the  
13 Department of Finance and Administration, as authorized by law, shall be  
14 strictly complied with in disbursement of said funds.

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16 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
17 Assembly that any funds disbursed under the authority of the appropriations  
18 contained in this Act shall be in compliance with the stated reasons for which  
19 this Act was adopted, as evidenced by the Agency Requests, Executive  
20 Recommendations and Legislative Recommendations contained in the budget  
21 manuals prepared by the Department of Finance and Administration, letters, or  
22 summarized oral testimony in the official minutes of the Arkansas Legislative  
23 Council or Joint Budget Committee which relate to its passage and adoption.

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25 SECTION 6. CODE. All provisions of this Act of a general and permanent  
26 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
27 Code Revision Commission shall incorporate the same in the Code.

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29 SECTION 7. SEVERABILITY. If any provision of this Act or the  
30 application thereof to any person or circumstance is held invalid, such  
31 invalidity shall not affect other provisions or applications of the Act which  
32 can be given effect without the invalid provision or application, and to this  
33 end the provisions of this Act are declared to be severable.

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35 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict

1 with this Act are hereby repealed.

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3 SECTION 9. HEALTH PREMIUMS. The State Board of Registration for  
4 Professional Engineers & Land Surveyors shall not, during the 1992-93 fiscal  
5 year, spend more for health insurance per employee than the amount being  
6 contributed to the State Employees Health Insurance Program.

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8 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
9 Seventy-Eighth General Assembly, that the Constitution of the State of  
10 Arkansas prohibits the appropriation of funds for more than a two (2) year  
11 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
12 operation of the agency for which the appropriations in this Act are provided,  
13 and that in the event of an extension of the Regular Session, the delay in the  
14 effective date of this Act beyond July 1, 1991 could work irreparable harm  
15 upon the proper administration and provision of essential governmental  
16 programs. Therefore, an emergency is hereby declared to exist and this Act  
17 being necessary for the immediate preservation of the public peace, health and  
18 safety shall be in full force and effect from and after July 1, 1991.

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APPROVED: 2-12-91

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