

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# A Bill

**HOUSE BILL**

## 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 GEOLOGISTS FOR THE BIENNIAL PERIOD ENDING  
11 JUNE 30, 1995; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE STATE BOARD OF REGISTRATION FOR  
15 PROFESSIONAL GEOLOGISTS APPROPRIATION."

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

19 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
20 Board of Registration for Professional Geologists for the 1993-95 biennium,  
21 the following maximum number of regular employees whose salaries shall be  
22 governed by the provisions of the Uniform Classification and Compensation Act  
23 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
24 thereto. Provided, however, that any position to which a specific maximum  
25 annual salary is set out herein in dollars, shall be exempt from the  
26 provisions of said Uniform Classification and Compensation Act. All persons  
27 occupying positions authorized herein are hereby governed by the provisions of  
28 the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
29 101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
<hr/>			<hr/>		
No.	Code	Title	Employees	1993-94	1994-95
35	(1)	8706 GEOLOGY BRD BUSINESS CONTROLLER I	1	\$ 16,072	\$ 16,634

1 (2) 8704 GEOLOGY BOARD CLERK TYPIST 1 \$ 11,806 \$ 12,219  
 2 MAX NO. OF EMPLOYEES 2

3  
 4 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State  
 5 Board of Registration for Professional Geologists, to be payable from cash  
 6 funds as defined by Arkansas Code 19-4-801 of the State Board of Registration  
 7 for Professional Geologists, for personal services and operating expenses of  
 8 the State Board of Registration for Professional Geologists for the biennial  
 9 period ending June 30, 1995, the following:

11	ITEM	FISCAL YEARS	
12	NO.	1993-94	1994-95
13	(01) REGULAR SALARIES	\$ 27,878	\$ 28,853
14	(02) PERSONAL SERV MATCHING	9,499	9,671
15	(03) MAINT. & GEN. OPERATION		
16	(A) OPER. EXPENSE	\$ 36,036	\$ 36,094
17	(B) CONF. & TRVL.	0	0
18	(C) PROF. FEES	0	0
19	(D) CAP. OUTLAY	3,000	3,000
20	(E) DATA PROC.	<u>0</u>	<u>0</u>
21	TOTAL MAINT. & GEN. OPER.	<u>39,036</u>	<u>39,094</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 76,413</u>	<u>\$ 77,618</u>

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

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

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

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

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

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

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

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

1 end the provisions of this Act are declared to be severable.

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3       SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
4 with this Act are hereby repealed.

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6       SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
7 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
8 prohibits the appropriation of funds for more than a two (2) year period; that  
9 the effectiveness of this Act on July 1, 1993 is essential to the operation of  
10 the agency for which the appropriations in this Act are provided, and that in  
11 the event of an extension of the Regular Session, the delay in the effective  
12 date of this Act beyond July 1, 1993 could work irreparable harm upon the  
13 proper administration and provision of essential governmental programs.  
14 Therefore, an emergency is hereby declared to exist and this Act being  
15 necessary for the immediate preservation of the public peace, health and  
16 safety shall be in full force and effect from and after July 1, 1993.

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