

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

A BILL ACT 118 OF 1991
HOUSE BILL 1343

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, 1993; AND FOR OTHER PURPOSES."

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

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

Item	Class		Maximum	Maximum Annual	
			No. of	Salary Rate	
			Employees	Fiscal Years	
No.	Code	Title	Employees	1991-92	1992-93
32	(1)	8706 GEOLOGY BRD BUSINESS CONTROLLER I	<u>1</u>	\$ 14,641	\$ 15,373
33		MAX NO. OF EMPLOYEES	1		

35 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
36 Board of Registration for Professional Geologists for the 1991-93 biennium,

1 the following maximum number of part-time or temporary employees, to be known
2 as "Extra Help", payable from funds appropriated herein for such purposes:
3 two (2) temporary or part-time employees, when needed, at rates of pay not to
4 exceed those provided in the Uniform Classification and Compensation Act, or
5 its successor, for the appropriate classification.

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7 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State
8 Board of Registration for Professional Geologists, to be payable from cash
9 funds as defined by Arkansas Code 19-4-801 of the State Board of Registration
10 for Professional Geologists, for personal services and operating expenses of
11 the State Board of Registration for Professional Geologists for the biennial
12 period ending June 30, 1993, the following:

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14 ITEM	FISCAL YEARS	
15 NO.	1991-92	1992-93
16 (01) REGULAR SALARIES	\$ 14,641	\$ 15,373
17 (02) EXTRA HELP	20,000	20,000
18 (03) PERSONAL SERV MATCHING	5,658	5,909
19 (04) MAINT. & GEN. OPERATION		
20 (A) OPER. EXPENSES	\$ 35,900	\$ 34,600
21 (B) CONF. & TRAVEL	0	0
22 (C) PROF. FEES	0	0
23 (D) CAPITAL OUTLAY	3,000	3,000
24 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
25 TOTAL MAINT. & GEN. OPER.	<u>38,900</u>	<u>37,600</u>
26 TOTAL AMOUNT APPROPRIATED	<u>\$ 79,199</u>	<u>\$ 78,882</u>

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28 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
29 this Act for Maintenance and General Operation shall be expended in payment
30 for services of attorneys, unless the agency shall first make a request in
31 writing to the Attorney General of the State of Arkansas to provide the
32 required legal services. The Attorney General's Office shall provide the
33 requested legal services, or, if the Attorney General's Office shall determine
34 that sufficient personnel are not available to provide the requested legal
35 services, the Attorney General shall certify the same to the agency and may

1 authorize the agency to employ legal counsel and to expend monies appropriated
2 for Maintenance and General Operations therefor, if:

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

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

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

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13 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
14 authorized by this Act shall be limited to the appropriation for such agency
15 and funds made available by law for the support of such appropriations; and
16 the restrictions of the State Purchasing Law, the General Accounting and
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
18 Procedures and Restrictions Act, or their successors, and other fiscal control
19 laws of this State, where applicable, and regulations promulgated by the
20 Department of Finance and Administration, as authorized by law, shall be
21 strictly complied with in disbursement of said funds.

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23 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
24 Assembly that any funds disbursed under the authority of the appropriations
25 contained in this Act shall be in compliance with the stated reasons for which
26 this Act was adopted, as evidenced by the Agency Requests, Executive
27 Recommendations and Legislative Recommendations contained in the budget
28 manuals prepared by the Department of Finance and Administration, letters, or
29 summarized oral testimony in the official minutes of the Arkansas Legislative
30 Council or Joint Budget Committee which relate to its passage and adoption.

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32 SECTION 7. CODE. All provisions of this Act of a general and permanent
33 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
34 Code Revision Commission shall incorporate the same in the Code.

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1 SECTION 8. SEVERABILITY. If any provision of this Act or the
2 application thereof to any person or circumstance is held invalid, such
3 invalidity shall not affect other provisions or applications of the Act which
4 can be given effect without the invalid provision or application, and to this
5 end the provisions of this Act are declared to be severable.

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7 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
8 with this Act are hereby repealed.

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10 SECTION 10. HEALTH PREMIUMS. The State Board of Registration for
11 Professional Geologists shall not, during the 1992-93 fiscal year, spend more
12 for health insurance per employee than the amount being contributed to the
13 State Employees Health Insurance Program.

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

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27 APPROVED: 2-12-91
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