

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

A Bill

ACT 87 OF 1993
HOUSE BILL 1221

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:

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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
No.	Code	Title	Employees	1993-94 1994-95
35	(1)	8706 GEOLOGY BRD BUSINESS CONTROLLER I	1	\$ 16,072 \$ 16,634
36	(2)	8704 GEOLOGY BOARD CLERK TYPIST	<u>1</u>	\$ 11,806 \$ 12,219

1 MAX NO. OF EMPLOYEES 2

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

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

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

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

35 (2) The Attorney General consents in writing to the employment of the

1 legal counsel to be retained by the agency.

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

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

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

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

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

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

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

APPROVED: 2/4/93

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