

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

Act 72 of 1999  
HOUSE BILL 1131

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

8  
9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE STATE BOARD OF  
11 REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND  
12 SURVEYORS FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
13 2001; AND FOR OTHER PURPOSES."

## Subtitle

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15  
16 "AN ACT FOR THE STATE BOARD OF REGISTRATION  
17 FOR PROFESSIONAL ENGINEERS AND LAND  
18 SURVEYORS APPROPRIATION FOR THE 1999-2001  
19 BIENNIUM."

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21  
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
25 Board of Registration for Professional Engineers and Land Surveyors for the  
26 1999-2001 biennium, the following maximum number of regular employees whose  
27 salaries shall be governed by the provisions of the Uniform Classification and  
28 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all  
29 laws amendatory thereto. Provided, however, that any position to which a  
30 specific maximum annual salary is set out herein in dollars, shall be exempt  
31 from the provisions of said Uniform Classification and Compensation Act. All  
32 persons occupying positions authorized herein are hereby governed by the  
33 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
34 Code §21-5-101), or its successor.

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36  
Maximum Annual

\*KCA008\*

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Item	Class	Maximum No. of Employees	Salary Rate Fiscal Years
No.	Code Title		1999-2000 2000-2001
(1)	7114 ENG & LAND SURV SECY/TREAS	1	\$37,945 \$39,007
(2)	7115 ENG & LAND SURV ASST SECRETARY	1	\$28,369 \$29,163
(3)	7116 ENG & LAND SURV CLERK-STENO	1	\$17,528 \$18,018
	MAX. NO. OF EMPLOYEES	3	

SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State Board of Registration for Professional Engineers and Land Surveyors, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the State Board of Registration for Professional Engineers and Land Surveyors, for personal services and operating expenses of the State Board of Registration for Professional Engineers and Land Surveyors for the biennial period ending June 30, 2001, the following:

ITEM NO.		FISCAL YEARS	
		1999-2000	2000-2001
(01)	REGULAR SALARIES	\$ 83,842	\$ 86,188
(02)	PERSONAL SERV MATCHING	24,533	24,948
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	113,501	113,501
(B)	CONF. & TRAVEL	7,927	7,927
(C)	PROF. FEES	8,744	8,744
(D)	CAP. OUTLAY	10,000	0
(E)	DATA PROC.	0	0
	TOTAL AMOUNT APPROPRIATED	<u>\$ 248,547</u>	<u>\$ 241,308</u>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CASH INVESTMENTS. The agency, board or commission, to which appropriation in this Act is made, shall consider all possible options available in investing cash fund balances for which it is responsible. Such options investigated shall specifically include the provisions of the Treasury Management Trust Fund option beginning at Arkansas Code 19-3-602. In the event that the Treasury Management Trust Fund option is not selected, the agency, board, or commission

1 shall report to the State Board of Finance the option selected and the  
 2 additional benefits accruing by selecting a different option.

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

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

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

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

23  
 24 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
 25 this act shall be limited to the appropriation for such agency and funds made  
 26 available by law for the support of such appropriations; and the restrictions  
 27 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
 28 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
 29 Restrictions Act, or their successors, and other fiscal control laws of this  
 30 State, where applicable, and regulations promulgated by the Department of  
 31 Finance and Administration, as authorized by law, shall be strictly complied  
 32 with in disbursement of said funds.

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 34 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 35 that any funds disbursed under the authority of the appropriations contained  
 36 in this act shall be in compliance with the stated reasons for which this act

1 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 2 and Legislative Recommendations contained in the budget manuals prepared by  
 3 the Department of Finance and Administration, letters, or summarized oral  
 4 testimony in the official minutes of the Arkansas Legislative Council or Joint  
 5 Budget Committee which relate to its passage and adoption.

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

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 11 SECTION 8. SEVERABILITY. If any provision of this act or the application  
 12 thereof to any person or circumstance is held invalid, such invalidity shall  
 13 not affect other provisions or applications of the act which can be given  
 14 effect without the invalid provision or application, and to this end the  
 15 provisions of this act are declared to be severable.

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 17 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with  
 18 this act are hereby repealed.

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 20 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
 21 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
 22 prohibits the appropriation of funds for more than a two (2) year period; that  
 23 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
 24 the agency for which the appropriations in this Act are provided, and that in  
 25 the event of an extension of the Regular Session, the delay in the effective  
 26 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
 27 proper administration and provision of essential governmental programs.  
 28 Therefore, an emergency is hereby declared to exist and this Act being  
 29 necessary for the immediate preservation of the public peace, health and  
 30 safety shall be in full force and effect from and after July 1, 1999.

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 32 APPROVED: 2/16/1999  
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