

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

**Act 58 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

**A Bill**

HOUSE BILL 1112

4  
5 By: Joint Budget Committee  
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7

**For An Act To Be Entitled**

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9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE STATE  
11 BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS  
12 AND LAND SURVEYORS FOR THE FISCAL YEAR ENDING  
13 JUNE 30, 2010; AND FOR OTHER PURPOSES.  
14

**Subtitle**

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16  
17 AN ACT FOR THE STATE BOARD OF  
18 REGISTRATION FOR PROFESSIONAL ENGINEERS  
19 AND LAND SURVEYORS APPROPRIATION FOR THE  
20 2009-2010 FISCAL YEAR.  
21  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
26 Board of Registration for Professional Engineers and Land Surveyors for the  
27 2009-2010 fiscal year, the following maximum number of regular employees  
28 whose salaries shall be governed by the provisions of the Uniform  
29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
30 its successor, and all laws amendatory thereto. Provided, however, that any  
31 position to which a specific maximum annual salary is set out herein in  
32 dollars, shall be exempt from the provisions of said Uniform Classification  
33 and Compensation Act. All persons occupying positions authorized herein are  
34 hereby governed by the provisions of the Regular Salaries Procedures and  
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.



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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2009-2010
(1)	N132N	ENG & LAND SURVEYORS EXEC DIRECTOR	1	GRADE N903
(2)	B008C	ENG & LAND SURVEYORS PROF ENGINEER	1	GRADE C128
(3)	C031C	ENG & LAND SURVEYORS ASST EXEC DIR	1	GRADE C115
(4)	C056C	ADMINISTRATIVE SPECIALIST III	<u>2</u>	GRADE C112
MAX. NO. OF EMPLOYEES			5	

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Registration for Professional Engineers and Land Surveyors for the 2009-2010 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the State Board of Registration for Professional Engineers and Land Surveyors, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the State Board of Registration for Professional Engineers and Land Surveyors for the fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 238,854
(02) EXTRA HELP	10,000
(03) PERSONAL SERVICES MATCHING	70,417
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	230,461
(B) CONF. & TRAVEL	10,227

1	(C) PROF. FEES	25,744
2	(D) CAP. OUTLAY	25,000
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 610,703</u>

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

- 16 (1) The Attorney General determines, and certifies in writing, that such  
17 agency needs the advice or assistance of legal counsel, and  
18 (2) The Attorney General consents in writing to the employment of the  
19 legal counsel to be retained by the agency.

20 Such certification shall be required with respect to each instance of the  
21 employment of special legal counsel, or shall be required annually with  
22 respect to legal counsel employed on a retainer basis. A copy of such  
23 certification shall be entered in the official minutes of the agency, and  
24 shall be retained in the fiscal records of the agency for audit purposes.  
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26 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
27 by this act shall be limited to the appropriation for such agency and funds  
28 made available by law for the support of such appropriations; and the  
29 restrictions of the State Procurement Law, the General Accounting and  
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
31 Procedures and Restrictions Act, or their successors, and other fiscal  
32 control laws of this State, where applicable, and regulations promulgated by  
33 the Department of Finance and Administration, as authorized by law, shall be  
34 strictly complied with in disbursement of said funds.  
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36 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly

1 that any funds disbursed under the authority of the appropriations contained  
2 in this act shall be in compliance with the stated reasons for which this act  
3 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
4 and Legislative Recommendations contained in the budget manuals prepared by  
5 the Department of Finance and Administration, letters, or summarized oral  
6 testimony in the official minutes of the Arkansas Legislative Council or  
7 Joint Budget Committee which relate to its passage and adoption.

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9 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
10 Assembly, that the Constitution of the State of Arkansas prohibits the  
11 appropriation of funds for more than a one (1) year period; that the  
12 effectiveness of this Act on July 1, 2009 is essential to the operation of  
13 the agency for which the appropriations in this Act are provided, and that in  
14 the event of an extension of the Regular Session, the delay in the effective  
15 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
16 proper administration and provision of essential governmental programs.  
17 Therefore, an emergency is hereby declared to exist and this Act being  
18 necessary for the immediate preservation of the public peace, health and  
19 safety shall be in full force and effect from and after July 1, 2009.

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21 **APPROVED: 2/5/2009**  
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