

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

# A Bill

**ACT 9 OF 1993**  
**HOUSE BILL 1143**

## 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 ENGINEERS & LAND SURVEYORS FOR THE BIENNIAL  
11 PERIOD ENDING JUNE 30, 1995; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE STATE BOARD OF REGISTRATION FOR  
15 PROFESSIONAL ENGINEERS & LAND SURVEYORS 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 Engineers & Land Surveyors for the  
21 1993-95 biennium, the following maximum number of regular employees whose  
22 salaries shall be governed by the provisions of the Uniform Classification and  
23 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all  
24 laws amendatory thereto. Provided, however, that any position to which a  
25 specific maximum annual salary is set out herein in dollars, shall be exempt  
26 from the provisions of said Uniform Classification and Compensation Act. All  
27 persons occupying positions authorized herein are hereby governed by the  
28 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
29 Code §21-5-101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1993-94</del>	<del>1994-95</del>
35	(1)	7114 ENG & LAND SURV SECY/TREAS	1	\$ 29,998	\$ 31,047
36	(2)	7115 ENG & LAND SURV ASST SECRETARY	1	\$ 22,428	\$ 23,212

1 (3) 7116 ENG & LAND SURV CLERK-STENO 1 \$ 13,859 \$ 14,344  
 2 MAX NO. OF EMPLOYEES 3

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

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12 ITEM	FISCAL YEARS	
13 <del>NO.</del>	<del>1993-94</del>	<del>1994-95</del>
14 (01) REGULAR SALARIES	\$ 66,285	\$ 68,603
15 (02) PERSONAL SERV MATCHING	18,765	19,182
16 (03) MAINT. & GEN. OPERATION		
17 (A) OPER. EXPENSE \$ 112,670	\$ 112,670	
18 (B) CONF. & TRVL. 8,927	8,927	
19 (C) PROF. FEES 6,000	6,000	
20 (D) CAP. OUTLAY 2,000	2,000	
21 (E) DATA PROC. <u>0</u>	<u>0</u>	
22 TOTAL MAINT. & GEN. OPER.	<u>129,597</u>	<u>129,597</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$ 214,647</u>	<u>\$ 217,382</u>

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

35 (1) The Attorney General determines, and certifies in writing, that

1 such agency needs the advice or assistance of legal counsel, and

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

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

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

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

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

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33           SECTION 7. SEVERABILITY. If any provision of this Act or the  
34 application thereof to any person or circumstance is held invalid, such  
35 invalidity shall not affect other provisions or applications of the Act which

1 can be given effect without the invalid provision or application, and to this  
2 end the provisions of this Act are declared to be severable.

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

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

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APPROVED: 2/1/93

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