1 State of Arkansas A Bill ACT 8 OF 1995 2 80th General Assembly HOUSE BILL 1046 3 Regular Session, 1995 **By: Joint Budget Committee** 6 For An Act To Be Entitled 7 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND R OPERATING EXPENSES FOR THE STATE BOARD OF REGISTRATION FOR 9 PROFESSIONAL ENGINEERS & LAND SURVEYORS FOR THE BIENNIAL 10 PERIOD ENDING JUNE 30, 1997; AND FOR OTHER PURPOSES." 11 12 Subtitle 13 "AN ACT FOR THE STATE BOARD OF 14 15 REGISTRATION FOR PROFESSIONAL ENGINEERS & LAND SURVEYORS APPROPRIATION FOR THE 1995-97 BIENNIUM." 17 18 19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 20 SECTION 1. REGULAR SALARIES. There is hereby established for the State 22 Board of Registration for Professional Engineers & Land Surveyors for the 23 1995-97 biennium, the following maximum number of regular employees whose 24 salaries shall be governed by the provisions of the Uniform Classification and 25 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all 26 laws amendatory thereto. Provided, however, that any position to which a 27 specific maximum annual salary is set out herein in dollars, shall be exempt 28 from the provisions of said Uniform Classification and Compensation Act. All 29 persons occupying positions authorized herein are hereby governed by the 30 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas 31 Code §21-5-101), or its successor. 32 Maximum Annual 33 Maximum 34 Salary Rate 35 Item Class No. of Fiscal Years

| 1 | (1) | 7114 | ENG | & | LAND | SURV | SECY | TREAS | | 1 | \$ 32,458 | \$ 33,269 |
|---|-----|------|-----|---|------|--------|-------|-----------|---|----------|--------------|--------------|
| 2 | (2) | 7115 | ENG | & | LAND | SURV | ASST | SECRETARY | | 1 | \$ 24,267 | \$ 24,873 |
| 3 | (3) | 7116 | ENG | & | LAND | SURV | CLER | K-STENO | _ | <u> </u> | \$ 14,995 | \$ 15,369 |
| 4 | | | | | M | IAX NO | O. OF | EMPLOYEES | | 3 | | |

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- 6 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State
- 7 Board of Registration for Professional Engineers & Land Surveyors, to be
- 8 payable from cash funds as defined by Arkansas Code 19-4-801 of the State
- 9 Board of Registration for Professional Engineers & Land Surveyors, for
- 10 personal services and operating expenses of the State Board of Registration
- 11 for Professional Engineers & Land Surveyors for the biennial period ending
- 12 June 30, 1997, the following:

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14 ITEM FISCAL YEARS

| 15 | NO. | | | | 1995-96 | 1996-97 |
|----|------|--------------------------|------------|-----------|------------|---------|
| 16 | (01) | REGULAR SALARIES | | \$ | 69,973 \$ | 69,973 |
| 17 | (02) | PERSONAL SERV MATCHING | | | 20,331 | 20,331 |
| 18 | (03) | MAINT. & GEN. OPERATION | | | | |
| 19 | | (A) OPER. EXPENSE \$ | 114,822 \$ | 120,822 | | |
| 20 | | (B) CONF. & TRVL. | 8,927 | 8,927 | | |
| 21 | | (C) PROF. FEES | 7,000 | 10,000 | | |
| 22 | | (D) CAP. OUTLAY | 1,000 | 11,000 | | |
| 23 | | (E) DATA PROC. | 0 | 0 | | |
| 24 | | TOTAL MAINT. & GEN. OPER | 1. | | 131,749 | 150,749 |
| 25 | | TOTAL AMOUNT APPROPRIATE | D | <u>\$</u> | 222,053 \$ | 241,053 |
| | | | | | | |

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

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1 for Maintenance and General Operations therefor, if: (1) The Attorney General determines, and certifies in writing, that 3 such agency needs the advice or assistance of legal counsel, and (2) The Attorney General consents in writing to the employment of the 5 legal counsel to be retained by the agency. Such certification shall be required with respect to each instance of 7 the employment of special legal counsel, or shall be required annually with 8 respect to legal counsel employed on a retainer basis. A copy of such 9 certification shall be entered in the official minutes of the agency, and 10 shall be retained in the fiscal records of the agency for audit purposes. 11 12 COMPLIANCE WITH OTHER LAWS. Disbursement of funds 13 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. 22 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General 23 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. 31 SECTION 6. CODE. All provisions of this Act of a general and permanent 32 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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SECTION 7. 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.
         SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
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 8 with this Act are hereby repealed.
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         SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
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11 Eightieth General Assembly, that the Constitution of the State of Arkansas
12 prohibits the appropriation of funds for more than a two (2) year period; that
13 the effectiveness of this Act on July 1, 1995 is essential to the operation of
14 the agency for which the appropriations in this Act are provided, and that in
15 the event of an extension of the Regular Session, the delay in the effective
16 date of this Act beyond July 1, 1995 could work irreparable harm upon the
17 proper administration and provision of essential governmental programs.
18 Therefore, an emergency is hereby declared to exist and this Act being
19 necessary for the immediate preservation of the public peace, health and
20 safety shall be in full force and effect from and after July 1, 1995.
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                                  APPROVED: 1/23/95
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