

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

A Bill

HOUSE BILL

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 | |
| No. | Code | Title | Employees | 1993-94 | 1994-95 |
| 35 | (1) | 7114 ENG & LAND SURV SECY/TREAS | 1 | \$ 29,998 | \$ 31,047 |

| | | | | |
|---|---|----------|-----------|-----------|
| 1 | (2) 7115 ENG & LAND SURV ASST SECRETARY | 1 | \$ 22,428 | \$ 23,212 |
| 2 | (3) 7116 ENG & LAND SURV CLERK-STENO | <u>1</u> | \$ 13,859 | \$ 14,344 |
| 3 | MAX NO. OF EMPLOYEES | 3 | | |

SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State Board of Registration for Professional Engineers & 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 & Land Surveyors, for personal services and operating expenses of the State Board of Registration for Professional Engineers & Land Surveyors for the biennial period ending June 30, 1995, the following:

| 13 | <u>ITEM</u> | <u>FISCAL YEARS</u> | |
|----|------------------------------|---------------------|-------------------|
| 14 | NO. | 1993-94 | 1994-95 |
| 15 | (01) REGULAR SALARIES | \$ 66,285 | \$ 68,603 |
| 16 | (02) PERSONAL SERV MATCHING | 18,765 | 19,182 |
| 17 | (03) MAINT. & GEN. OPERATION | | |
| 18 | (A) OPER. EXPENSE | \$ 112,670 | \$ 112,670 |
| 19 | (B) CONF. & TRVL. | 8,927 | 8,927 |
| 20 | (C) PROF. FEES | 6,000 | 6,000 |
| 21 | (D) CAP. OUTLAY | 2,000 | 2,000 |
| 22 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 23 | TOTAL MAINT. & GEN. OPER. | <u>129,597</u> | <u>129,597</u> |
| 24 | TOTAL AMOUNT APPROPRIATED | <u>\$ 214,647</u> | <u>\$ 217,382</u> |

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

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

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

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

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

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

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

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34 SECTION 7. SEVERABILITY. If any provision of this Act or the
35 application thereof to any person or circumstance is held invalid, such

1 invalidity shall not affect other provisions or applications of the Act which
2 can be given effect without the invalid provision or application, and to this
3 end the provisions of this Act are declared to be severable.

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

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

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