

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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7

A Bill

HOUSE BILL

1046

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, 1997; AND FOR OTHER PURPOSES."

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Subtitle

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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SECTION 1. REGULAR SALARIES. There is hereby established for the State Board of Registration for Professional Engineers & Land Surveyors for the 1995-97 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

			Maximum Annual
		Maximum	Salary Rate
Item Class	No. of		Fiscal Years

1 No.	2 Code	3 Title	4 Employees	5 1995-96	6 1996-97
7 (1)	7114	ENG & LAND SURV SECY/TREAS	1	\$ 32,458	\$
		33,269			
8 (2)	7115	ENG & LAND SURV ASST SECRETARY	1	\$ 24,267	\$
		24,873			
9 (3)	7116	ENG & LAND SURV CLERK-STENO	<u>1</u>	\$ 14,995	\$
		15,369			
		MAX NO. OF EMPLOYEES	3		

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

18 ITEM	19 FISCAL YEARS		
20 NO.	21 1995-96	22 1996-97	
23 (01) REGULAR SALARIES	\$ 69,973	\$	
24 69,973			
25 (02) PERSONAL SERV MATCHING	20,331		
26 20,331			
27 (03) MAINT. & GEN. OPERATION			
28 (A) OPER. EXPENSE \$	114,822	\$	120,822
29 (B) CONF. & TRVL.	8,927		8,927
30 (C) PROF. FEES	7,000		10,000
31 (D) CAP. OUTLAY	1,000		11,000
32 (E) DATA PROC.	<u>0</u>		<u>0</u>
33 TOTAL MAINT. & GEN. OPER.		<u>131,749</u>	
34 <u>150,749</u>			
35 TOTAL AMOUNT APPROPRIATED	<u>\$</u>	<u>222,053</u>	<u>\$</u>
36 <u>241,053</u>			

37 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in

1 this Act for Maintenance and General Operation shall be expended in payment
2 for services of attorneys, unless the agency shall first make a request in
3 writing to the Attorney General of the State of Arkansas to provide the
4 required legal services. The Attorney General's Office shall provide the
5 requested legal services, or, if the Attorney General's Office shall
6 determine that sufficient personnel are not available to provide the
7 requested legal services, the Attorney General shall certify the same to the
8 agency and may authorize the agency to employ legal counsel and to expend
9 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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21 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
22 authorized by this Act shall be limited to the appropriation for such agency
23 and funds made available by law for the support of such appropriations; and
24 the restrictions of the State Purchasing Law, the General Accounting and
25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
26 Procedures and Restrictions Act, or their successors, and other fiscal
27 control laws of this State, where applicable, and regulations promulgated by
28 the Department of Finance and Administration, as authorized by law, shall be
29 strictly complied with in disbursement of said funds.

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31 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this Act shall be in compliance with the stated reasons for
34 which this Act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.

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

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9 SECTION 7. SEVERABILITY. If any provision of this Act or the
10 application thereof to any person or circumstance is held invalid, such
11 invalidity shall not affect other provisions or applications of the Act which
12 can be given effect without the invalid provision or application, and to this
13 end the provisions of this Act are declared to be severable.

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

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18 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
19 Eightieth General Assembly, that the Constitution of the State of Arkansas
20 prohibits the appropriation of funds for more than a two (2) year period;
21 that the effectiveness of this Act on July 1, 1995 is essential to the
22 operation of the agency for which the appropriations in this Act are
23 provided, and that in the event of an extension of the Regular Session, the
24 delay in the effective date of this Act beyond July 1, 1995 could work
25 irreparable harm upon the proper administration and provision of essential
26 governmental programs. Therefore, an emergency is hereby declared to exist
27 and this Act being necessary for the immediate preservation of the public
28 peace, health and safety shall be in full force and effect from and after
29 July 1, 1995.

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