

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 1204

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 OPERATING EXPENSES FOR THE STATE BOARD OF REGISTRATION FOR  
11 PROFESSIONAL ENGINEERS & LAND SURVEYORS FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 1999; AND FOR OTHER PURPOSES."

## Subtitle

15 "AN ACT FOR THE STATE BOARD OF  
16 REGISTRATION FOR PROFESSIONAL ENGINEERS  
17 & LAND SURVEYORS APPROPRIATION FOR THE  
18 1997-99 BIENNIUM."

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

21  
22 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
23 Board of Registration for Professional Engineers & Land Surveyors for the  
24 1997-99 biennium, the following maximum number of regular employees whose  
25 salaries shall be governed by the provisions of the Uniform Classification and  
26 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all  
27 laws amendatory thereto. Provided, however, that any position to which a  
28 specific maximum annual salary is set out herein in dollars, shall be exempt  
29 from the provisions of said Uniform Classification and Compensation Act. All  
30 persons occupying positions authorized herein are hereby governed by the  
31 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
32 Code §21-5-101), or its successor.

33			
34			Maximum Annual
35		Maximum	Salary Rate
36	Item Class	No. of	Fiscal Years

<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1997-98</del>	<del>1998-99</del>
2	(1)	7114 ENG & LAND SURV SECY/TREAS	1	\$ 35,088	\$ 36,070
3	(2)	7115 ENG & LAND SURV ASST SECRETARY	1	\$ 26,233	\$ 26,967
4	(3)	7116 ENG & LAND SURV CLERK-STENO	<u>1</u>	\$ 16,209	\$ 16,662
5		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, 1999, the following:

ITEM	FISCAL YEARS	
<del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
17 (01) REGULAR SALARIES	\$ 77,530	\$ 79,699
18 (02) PERSONAL SERV MATCHING	22,768	23,151
19 (03) MAINT. & GEN. OPERATION		
20 (A) OPER. EXPENSE	116,001	116,001
21 (B) CONF. & TRVL.	8,927	8,927
22 (C) PROF. FEES	10,000	10,000
23 (D) CAP. OUTLAY	0	0
24 (E) DATA PROC.	<u>0</u>	<u>0</u>
25 TOTAL AMOUNT APPROPRIATED	<u>\$ 235,226</u>	<u>\$ 237,778</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

1 for Maintenance and General Operations therefor, if:

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

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

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

21

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

30

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

34

35 SECTION 7. SEVERABILITY. If any provision of this Act or the

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

5

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

8

9 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
 10 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
 11 prohibits the appropriation of funds for more than a two (2) year period; that  
 12 the effectiveness of this Act on July 1, 1997 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, 1997 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, 1997.

20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28  
 29  
 30  
 31  
 32  
 33  
 34  
 35

1

2