

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010
4

A Bill

HOUSE BILL 1109

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE STATE
11 BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND
12 PROFESSIONAL SURVEYORS FOR THE FISCAL YEAR ENDING
13 JUNE 30, 2011; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE STATE BOARD OF LICENSURE
17 FOR PROFESSIONAL ENGINEERS AND
18 PROFESSIONAL SURVEYORS APPROPRIATION FOR
19 THE 2010-2011 FISCAL YEAR.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. REGULAR SALARIES. There is hereby established for the State
26 Board of Licensure for Professional Engineers and Professional Surveyors for
27 the 2010-2011 fiscal year, the following maximum number of regular employees
28 whose salaries shall be governed by the provisions of the Uniform
29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
30 its successor, and all laws amendatory thereto. Provided, however, that any
31 position to which a specific maximum annual salary is set out herein in
32 dollars, shall be exempt from the provisions of said Uniform Classification
33 and Compensation Act. All persons occupying positions authorized herein are
34 hereby governed by the provisions of the Regular Salaries Procedures and
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2010-2011
(1)	N132N	ENG & LAND SURVEYORS EXEC DIRECTOR	1	GRADE N903
(2)	B008C	ENG & LAND SURVEYORS PROF ENGINEER	1	GRADE C128
(3)	C031C	ENG & LAND SURVEYORS ASST EXEC DIR	1	GRADE C115
(4)	C056C	ADMINISTRATIVE SPECIALIST III	<u>2</u>	GRADE C112
MAX. NO. OF EMPLOYEES			5	

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11 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of
 12 Licensure for Professional Engineers and Professional Surveyors for the 2010-
 13 2011 fiscal year, the following maximum number of part-time or temporary
 14 employees, to be known as "Extra Help", payable from funds appropriated
 15 herein for such purposes: one (1) temporary or part-time employees, when
 16 needed, at rates of pay not to exceed those provided in the Uniform
 17 Classification and Compensation Act, or its successor, or this act for the
 18 appropriate classification.

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20 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 21 the State Board of Licensure for Professional Engineers and Professional
 22 Surveyors, to be payable from the cash fund deposited in the State Treasury
 23 as determined by the Chief Fiscal Officer of the State, for personal services
 24 and operating expenses of the State Board of Licensure for Professional
 25 Engineers and Professional Surveyors for the fiscal year ending June 30,
 26 2011, the following:

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ITEM		FISCAL YEAR
NO.		2010-2011
(01)	REGULAR SALARIES	\$ 244,281
(02)	EXTRA HELP	10,000
(03)	PERSONAL SERVICES MATCHING	71,434
(04)	MAINT. & GEN. OPERATION	
(A)	OPER. EXPENSE	230,461
(B)	CONF. & TRAVEL	10,227
(C)	PROF. FEES	5,744

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1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 572,147</u>

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5 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
6 this Act for Maintenance and General Operation shall be expended in payment
7 for services of attorneys, unless the agency shall first make a request in
8 writing to the Attorney General of the State of Arkansas to provide the
9 required legal services. The Attorney General's Office shall provide the
10 requested legal services, or, if the Attorney General's Office shall
11 determine that sufficient personnel are not available to provide the
12 requested legal services, the Attorney General shall certify the same to the
13 agency and may authorize the agency to employ legal counsel and to expend
14 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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25 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
26 by this act shall be limited to the appropriation for such agency and funds
27 made available by law for the support of such appropriations; and the
28 restrictions of the State Procurement Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal
31 control laws of this State, where applicable, and regulations promulgated by
32 the Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.

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35 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
36 that any funds disbursed under the authority of the appropriations contained

1 in this act shall be in compliance with the stated reasons for which this act
2 was adopted, as evidenced by the Agency Requests, Executive Recommendations
3 and Legislative Recommendations contained in the budget manuals prepared by
4 the Department of Finance and Administration, letters, or summarized oral
5 testimony in the official minutes of the Arkansas Legislative Council or
6 Joint Budget Committee which relate to its passage and adoption.

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8 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2010 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 legislative session, the delay in the
14 effective date of this Act beyond July 1, 2010 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2010.

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21 **APPROVED: 02/19/2010**
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