

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas

2 83rd General Assembly

3 Regular Session, 2001

A Bill

HOUSE BILL 1304

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE STATE BOARD OF
11 REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND
12 SURVEYORS FOR THE BIENNIAL PERIOD ENDING JUNE 30,
13 2003; AND FOR OTHER PURPOSES.

Subtitle

17 AN ACT FOR THE STATE BOARD OF REGISTRATION
18 FOR PROFESSIONAL ENGINEERS AND LAND
19 SURVEYORS APPROPRIATION FOR THE 2001-2003
20 BIENNIAL PERIOD.

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

25 SECTION 1. REGULAR SALARIES. There is hereby established for the State
26 Board of Registration for Professional Engineers and Land Surveyors for the
27 2001-2003 biennium, the following maximum number of regular employees whose
28 salaries shall be governed by the provisions of the Uniform Classification and
29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
30 laws amendatory thereto. Provided, however, that any position to which a
31 specific maximum annual salary is set out herein in dollars, shall be exempt
32 from the provisions of said Uniform Classification and Compensation Act. All
33 persons occupying positions authorized herein are hereby governed by the
34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
35 Code §21-5-101), or its successor.

Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
			2001-2002	2002-2003
(1)	7114 ENG & LAND SURV SECY/TREAS	1	\$40,021	\$41,061
(2)	7115 ENG & LAND SURV ASST SECRETARY	1	\$29,921	\$30,698
(3)	7116 ENG & LAND SURV CLERK-STENO	1	\$20,500	\$21,033
	MAX. NO. OF EMPLOYEES	3		

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Registration for Professional Engineers and Land Surveyors for the 2001-2003 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State Board of Registration for Professional Engineers and 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 and Land Surveyors, for personal services and operating expenses of the State Board of Registration for Professional Engineers and Land Surveyors for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 90,442	\$ 92,792
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERV MATCHING	25,674	26,088
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	120,501	120,301
(B) CONF. & TRAVEL	7,927	7,927

1	(C) PROF. FEES	8,744	8,744
2	(D) CAP. OUTLAY	8,700	2,500
3	(E) DATA PROC.	<u>0</u>	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 271,988</u>	<u>\$ 268,352</u>

5

6 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this

7 Act for Maintenance and General Operation shall be expended in payment for

8 services of attorneys, unless the agency shall first make a request in writing

9 to the Attorney General of the State of Arkansas to provide the required legal

10 services. The Attorney General's Office shall provide the requested legal

11 services, or, if the Attorney General's Office shall determine that sufficient

12 personnel are not available to provide the requested legal services, the

13 Attorney General shall certify the same to the agency and may authorize the

14 agency to employ legal counsel and to expend monies appropriated for

15 Maintenance and General Operations therefor, if:

16 (1) The Attorney General determines, and certifies in writing, that such

17 agency needs the advice or assistance of legal counsel, and

18 (2) The Attorney General consents in writing to the employment of the

19 legal counsel to be retained by the agency.

20 Such certification shall be required with respect to each instance of the

21 employment of special legal counsel, or shall be required annually with

22 respect to legal counsel employed on a retainer basis. A copy of such

23 certification shall be entered in the official minutes of the agency, and

24 shall be retained in the fiscal records of the agency for audit purposes.

25

26 SECTION 5. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED

27 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all

28 appropriations as provided in this Act, the agency disbursing officer shall

29 monitor the level of fund balances in relation to expenditures on a monthly

30 basis. If any proposed expenditures would cause a fund balance to decline to

31 less than fifty percent (50%) of the balance available on July 1, 2001, the

32 disbursing officer shall immediately notify the executive head of the agency.

33 Prior to any obligations being made under these circumstances, the agency

34 head shall file written documentation with the Chief Fiscal Officer of the

35 State requesting approval of the expenditures. Such documentation shall

36 provide sufficient financial data to justify the expenditures and shall

1 include the following:

2 1) a plan that clearly indicates the specific fiscal impact of such
 3 expenditures on the fund balance.

4 2) information clearly indicating and explaining what programs would be cut or
 5 any other measures to be taken by the agency to restore the fund balance.

6 3) the extent to which any of the planned expenditures are for one-time costs
 7 or one-time purchase of capitalized items.

8 4) a statement certifying that the expenditure of fund balances will not
 9 jeopardize the financial health of the agency, nor result in a permanent
 10 depletion of the fund balance.

11 (B) The Chief Fiscal Officer of the State shall review the request and
 12 approve or disapprove all or any part of the request , after having sought
 13 prior review by the Legislative Council.

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

24
 25 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
 26 that any funds disbursed under the authority of the appropriations contained
 27 in this act shall be in compliance with the stated reasons for which this act
 28 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 29 and Legislative Recommendations contained in the budget manuals prepared by
 30 the Department of Finance and Administration, letters, or summarized oral
 31 testimony in the official minutes of the Arkansas Legislative Council or Joint
 32 Budget Committee which relate to its passage and adoption.

33
 34 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
 35 Assembly, that the Constitution of the State of Arkansas prohibits the
 36 appropriation of funds for more than a two (2) year period; that the

effectiveness of this Act on July 1, 2001 is essential to the operation of the
agency for which the appropriations in this Act are provided, and that in the
event of an extension of the Regular Session, the delay in the effective date
of this Act beyond July 1, 2001 could work irreparable harm upon the proper
administration and provision of essential governmental programs. Therefore, an
emergency is hereby declared to exist and this Act being necessary for the
immediate preservation of the public peace, health and safety shall be in full
force and effect from and after July 1, 2001.