

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1130

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE STATE
10 BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND
11 PROFESSIONAL SURVEYORS FOR THE FISCAL YEAR ENDING
12 JUNE 30, 2012; AND FOR OTHER PURPOSES.
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Subtitle

15 AN ACT FOR THE STATE BOARD OF LICENSURE FOR
16 PROFESSIONAL ENGINEERS AND PROFESSIONAL
17 SURVEYORS APPROPRIATION FOR THE 2011-2012
18 FISCAL YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the State
25 Board of Licensure for Professional Engineers and Professional Surveyors for
26 the 2011-2012 fiscal year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
32	(1) N132N	ENG & LAND SURVEYORS EXEC DIRECTOR	1	GRADE N903
33	(2) B008C	ENG & LAND SURVEYORS PROF ENGINEER	1	GRADE C128
34	(3) C031C	ENG & LAND SURVEYORS ASST EXEC DIRE	1	GRADE C115
35	(4) C056C	ADMINISTRATIVE SPECIALIST III	<u>2</u>	GRADE C112
36	MAX. NO. OF EMPLOYEES		5	



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 2 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board
 3 of Licensure for Professional Engineers and Professional Surveyors for the
 4 2011-2012 fiscal year, the following maximum number of part-time or temporary
 5 employees, to be known as "Extra Help", payable from funds appropriated
 6 herein for such purposes: one (1) temporary or part-time employees, when
 7 needed, at rates of pay not to exceed those provided in the Uniform
 8 Classification and Compensation Act, or its successor, or this act for the
 9 appropriate classification.

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 11 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 12 to the State Board of Licensure for Professional Engineers and Professional
 13 Surveyors, to be payable from the cash fund deposited in the State Treasury
 14 as determined by the Chief Fiscal Officer of the State, for personal services
 15 and operating expenses of the State Board of Licensure for Professional
 16 Engineers and Professional Surveyors for the fiscal year ending June 30,
 17 2012, the following:

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19 ITEM	FISCAL YEAR
20 <u>NO.</u>	<u>2011-2012</u>
21 (01) REGULAR SALARIES	\$249,391
22 (02) EXTRA HELP	12,000
23 (03) PERSONAL SERVICES MATCHING	75,614
24 (04) MAINT. & GEN. OPERATION	
25 (A) OPER. EXPENSE	284,461
26 (B) CONF. & TRAVEL	10,227
27 (C) PROF. FEES	11,744
28 (D) CAP. OUTLAY	0
29 (E) DATA PROC.	<u>0</u>
30 TOTAL AMOUNT APPROPRIATED	<u><u>\$643,437</u></u>

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 32 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 33 this Act for Maintenance and General Operation shall be expended in payment
 34 for services of attorneys, unless the agency shall first make a request in
 35 writing to the Attorney General of the State of Arkansas to provide the
 36 required legal services. The Attorney General's Office shall provide the

1 requested legal services, or, if the Attorney General's Office shall
2 determine that sufficient personnel are not available to provide the
3 requested legal services, the Attorney General shall certify the same to the
4 agency and may authorize the agency to employ legal counsel and to expend
5 monies appropriated for Maintenance and General Operations therefore, if:

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

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

10 Such certification shall be required with respect to each instance of
11 the employment of special legal counsel, or shall be required annually with
12 respect to legal counsel employed on a retainer basis. A copy of such
13 certification shall be entered in the official minutes of the agency, and
14 shall be retained in the fiscal records of the agency for audit purposes.
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16 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
17 authorized by this act shall be limited to the appropriation for such agency
18 and funds made available by law for the support of such appropriations; and
19 the restrictions of the State Procurement Law, the General Accounting and
20 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
21 Procedures and Restrictions Act, or their successors, and other fiscal
22 control laws of this State, where applicable, and regulations promulgated by
23 the Department of Finance and Administration, as authorized by law, shall be
24 strictly complied with in disbursement of said funds.
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26 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this act shall be in compliance with the stated reasons for
29 which this act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.
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35 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a one (1) year period; that the
2 effectiveness of this Act on July 1, 2011 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the legislative session, the delay in the
5 effective date of this Act beyond July 1, 2011 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health
9 and safety shall be in full force and effect from and after July 1, 2011.

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