

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

# A Bill

HOUSE BILL 1119

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, 2013; 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 2012-2013  
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 2012-2013 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 2012-2013
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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SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Licensure for Professional Engineers and Professional Surveyors for the 2012-2013 fiscal year, 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. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the State Board of Licensure for Professional Engineers and Professional Surveyors, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the State Board of Licensure for Professional Engineers and Professional Surveyors for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$255,128
(02) EXTRA HELP	12,000
(03) PERSONAL SERVICES MATCHING	76,823
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	259,461
(B) CONF. & TRAVEL	10,227
(C) PROF. FEES	11,744
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$625,383</u></u>

SECTION 4. 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

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 therefor, 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

appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2012 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 legislative session, the delay in the effective date of this Act beyond July 1, 2012 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, 2012.

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