

# STATE BOARD OF LICENSURE FOR PROF ENGINEERS & PROF SURVEYORS

## Enabling Laws

Act 78 of 2010

Act 214 of 1953 (which amended Act 202 of 1925)

A.C.A. §17-30-101 et seq.

Act 101 of 1967, as amended.

A.C.A. §17-48-101 et seq.

## History and Organization

The Arkansas General Assembly saw the need to regulate the practice of Engineering. They passed Act 202 of 1925 to create the Agency. A Board was established to review the qualifications of individuals to insure they met certain controlling and minimum qualifications to be awarded a license to practice engineering in the State of Arkansas. The Board was also given the authority to discipline individuals that provided substandard engineering services to residents of the State. The original Act has been amended numerous times and at present is A.C.A. §17-30-101 et seq.

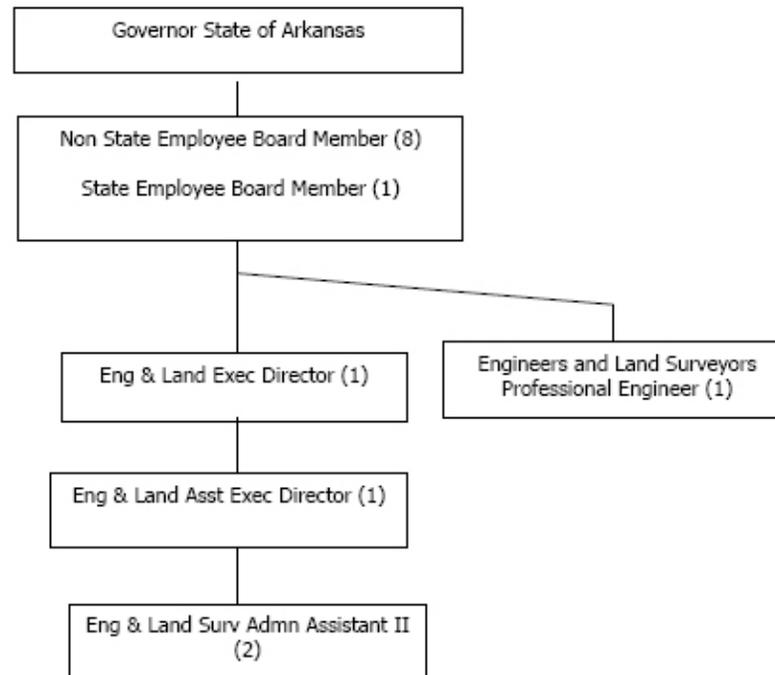
Act 101 of 1967 was passed by the General Assembly which added to the Agency the licensing of Surveyors. The Board reviews the qualifications of individuals to be awarded a license to practice Surveying in the State of Arkansas. The Board was also given the authority to discipline individuals that provide substandard Land Surveying services to residents of the State. The original Act has been amended numerous times and at present is A.C.A. §17-48-101 et seq.

The Agency has never received any money from the State for the operation of the office. All monies used by the Agency for operation, salaries, and etc. are generated from the collection of application fees, examination fees, renewal fees, and disciplinary civil penalties.

The Board consists of nine (9) members that are appointed by the Governor. Five (5) members shall be Professional Engineers of at least ten (10) years of active experience, of good standing in their profession, and registered as Professional Engineers at the time of their appointment; One (1) member shall be a Professional Engineer and a Professional Land Surveyor of at least ten (10) years of active experience in both, of good standing in both professions and registered as both a Professional Engineer and Professional Land Surveyor, at the time of their appointment; One (1) member shall be a Professional Land Surveyor of at least ten (10) years active experience, of good standing in their

standing in their profession, and registered as a Professional Land Surveyor at the time of his appointment; Two (2) members of the Board shall not be actively engaged or retired as a Professional Engineers or a Professional Land Surveyor, One (1) shall represent consumers, and One (1) shall be at least sixty (60) years of age and shall represent elderly consumers. The term of office for each appointment is four (4) years. There is no restriction on the number of times an individual may be appointed.

The Agency is staffed at the present time by five (5) individuals and one (1) extra help position. They are an Executive Director, Assistant Executive Director, a Professional Engineer, and two (2) Administrative Assistant II. The staff is responsible for compiling all information necessary for the Board to make decisions on the licensing of individuals. Other responsibilities include maintaining records of all renewals, correspondence, and financial records of the Agency.



## **Agency Commentary**

To fulfill the Board's mission and to honor its duty as stewards, the board requests a change level of \$62,172 in FY12 and \$37,172 in FY13.

Increases in the first year only:

Operating Expenses (02) of \$25,000 will be used for:

- purchase/upgrade of computers and related equipment and software to replace current 5-year old equipment and upgrade of software in compliance with the Board's directive. These upgrades can be referenced on the Operations Hardware tab of the board's IT plan.

Increases in the 1<sup>st</sup> and 2<sup>nd</sup> year of the biennium:

Extra Help (01) and Personal Services Matching (03) - \$2,172 will be used for:

- due to pay plan implementation, the hourly rate for Extra Help increased and the current \$10,000 appropriation is insufficient for the board's needs;

Operating Expenses (02) - \$35,000 will be used for:

- \$5,000 for Network Services for DIS hosting the Board's licensing database and on-line application program on its server;
- \$15,000 for Technical Services for continued development and enhancement of the Board's on-line application program and licensing database to comply with recommendations and directives of DF&A Internal Audit and Department of Legislative Audit, to promote automation and efficiency for staff and to provide better service to licensees and applicants;
- \$15,000 for document imaging services to scan the remaining 15,000 paper licensee files currently stored in non-fireproof cabinets.

Reallocation of resources - \$6,000:

- to reallocate \$6,000 from Operating Expenses to Professional Fees for a consultant to prepare, grade, maintain, and update the state-administered professional surveyor competency examination. In prior years, the examination was prepared by a former and now-retired Board member. The exam format has also been updated as recommended by licensed Arkansas surveyors; this requires the consultant to grade and score newly-added math problems.

## Audit Findings

DIVISION OF LEGISLATIVE AUDIT  
AUDIT OF :  
ARKANSAS STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
FOR THE YEAR ENDED JUNE 30, 2008

Findings	Recommendations
None	None

## Employment Summary

	Male	Female	Total	%
White Employees	2	1	3	60 %
Black Employees	0	1	1	20 %
Other Racial Minorities	0	1	1	20 %
Total Minorities			2	40 %
Total Employees			5	100 %

## Publications

### A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
Newsletter	17-30-203 (b)(4)	N	N	10,000	Distributed twice each year to keep registrants apprised of the current changes in their professions as well as proposed rule changes and the results of disciplinary actions taken by the Board.
Rules of Professional Conduct and Roster	17-30-305 (c)	N	N	10,000	To notify every registrant once every biennium of the rules of professional conduct, as provided by 17-30-203.

## Agency Position Usage Report

FY2008 - 2009						FY2009 - 2010						FY2010 - 2011					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
5	5	0	5	0	0.00 %	5	5	0	5	0	0.00 %	5	5	0	5	0	0.00 %

## **Analysis of Budget Request**

**Appropriation:** 857 - Land Surveyors - Cash in Treasury

**Funding Sources:** NES - Cash in Treasury

Act 202 of 1925 created the Arkansas State Board of Registration for Professional Engineers & Land Surveyors. The purpose of the Board is to ensure the public through rules and regulations professional engineers or land surveyors will provide competent services to the citizens of the State. The Board is funded from application, certificate, and renewal fees charged pursuant to Arkansas Code Annotated §17-30-304.

Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Career Service Payments. The Base Level request for Regular Salaries includes board member stipend payments.

Change level requests total \$62,172 for FY12 and \$37,172 for FY13, for Extra Help and Operating Expenses. The increase in the Extra Help and Personal Services Matching line items of \$2,172 for FY12 and FY13 are due to the increase in the hourly rate from the implementation of pay plan. For the Operating Expenses line item increase of \$54,000 for FY12 and \$29,000 for FY13; \$15,000 is for scanning old licensee files, \$5,000 for Network Services, \$15,000 for Miscellaneous Technical Services for enhancements to the on-line application and provide better services to current and potential licensee holders, and to improve internal controls as recommended and directed by DF&A Internal Audit and the Department of Legislative Audit. For FY12 the board requests \$25,000 for IT upgrades and replacements to comply with a 5 year replacement provision located on the Operations Hardware tab of the board's IT plan.

The Board requests a reallocation of resources of \$6,000 from the Operating Expenses line item to the Professional Fees line item for a consultant to prepare and grade state administered professional surveyor competency examinations. In prior years, the examination was prepared by a former and now retired board member. The exam format has been updated as recommended by licensed Arkansas surveyors; this requires the consultant to grade and score newly added math problems.

Executive Recommendation provides for Agency Request. Expenditure of appropriation is contingent upon available funding.

## Appropriation Summary

**Appropriation:** 857 - Land Surveyors - Cash in Treasury

**Funding Sources:** NES - Cash in Treasury

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		Historical Data			2011-2012			2012-2013		
		2009-2010 Actual	2010-2011 Budget	2010-2011 Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	239,014	240,249	244,281	237,249	237,249	237,249	237,249	237,249	237,249
<b>#Positions</b>		<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>
Extra Help	5010001	8,677	12,000	10,000	10,000	12,000	12,000	10,000	12,000	12,000
<b>#Extra Help</b>		<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
Personal Services Matching	5010003	66,441	71,008	71,434	73,539	73,711	73,711	73,539	73,711	73,711
Operating Expenses	5020002	240,418	230,461	230,461	230,461	284,461	284,461	230,461	259,461	259,461
Conference & Travel Expenses	5050009	9,824	10,227	10,227	10,227	10,227	10,227	10,227	10,227	10,227
Professional Fees	5060010	11,030	5,744	5,744	5,744	11,744	11,744	5,744	11,744	11,744
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>		<b>575,404</b>	<b>569,689</b>	<b>572,147</b>	<b>567,220</b>	<b>629,392</b>	<b>629,392</b>	<b>567,220</b>	<b>604,392</b>	<b>604,392</b>

Funding Sources										
Fund Balance	4000005	708,201	914,887		905,350	905,350	905,350	855,958	855,958	855,958
Cash Fund	4000045	781,956	560,152		517,828	580,000	580,000	557,828	595,000	595,000
M & R Sales	4000340	134	0		0	0	0	0	0	0
<b>Total Funding</b>		<b>1,490,291</b>	<b>1,475,039</b>		<b>1,423,178</b>	<b>1,485,350</b>	<b>1,485,350</b>	<b>1,413,786</b>	<b>1,450,958</b>	<b>1,450,958</b>
Excess Appropriation/(Funding)		(914,887)	(905,350)		(855,958)	(855,958)	(855,958)	(846,566)	(846,566)	(846,566)
<b>Grand Total</b>		<b>575,404</b>	<b>569,689</b>		<b>567,220</b>	<b>629,392</b>	<b>629,392</b>	<b>567,220</b>	<b>604,392</b>	<b>604,392</b>

Budget exceeds Authorized Appropriation in Extra Help due to a transfer from the Cash Fund Holding Account.

## Change Level by Appropriation

**Appropriation:** 857 - Land Surveyors - Cash in Treasury  
**Funding Sources:** NES - Cash in Treasury

### Agency Request

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>567,220</b>	<b>5</b>	<b>567,220</b>	<b>100.0</b>	<b>567,220</b>	<b>5</b>	<b>567,220</b>	<b>100.0</b>
C01	Existing Program	37,172	0	604,392	106.6	37,172	0	604,392	106.6
C04	Reallocation	0	0	604,392	106.6	0	0	604,392	106.6
C08	Technology	25,000	0	629,392	111.0	0	0	604,392	106.6

### Executive Recommendation

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>567,220</b>	<b>5</b>	<b>567,220</b>	<b>100.0</b>	<b>567,220</b>	<b>5</b>	<b>567,220</b>	<b>100.0</b>
C01	Existing Program	37,172	0	604,392	106.6	37,172	0	604,392	106.6
C04	Reallocation	0	0	604,392	106.6	0	0	604,392	106.6
C08	Technology	25,000	0	629,392	111.0	0	0	604,392	106.6

### Justification

C01	The agency requests an increase of \$37,172 in FY12 and FY13. The increases for both FY12 and FY13 include an increase in Extra Help and Personal Services Matching of \$2,127 due to implementation of the pay plan, the hourly rate increased and the current \$10,000 appropriation is insufficient, \$15,000 to complete scanning old licensee files, \$5,000 for Network Services, \$15,000 for Miscellaneous Technical Services for enhancements to the on-line application and provide better services to current and potential license holders, and to improve internal controls as recommended and directed by DF&A Internal Audit and the Department of Legislative Audit.
C04	Agency requests a \$6,000 reallocation of resources from Operating Expenses to Professional Fees & Services for a consultant to prepare and grade state administered professional surveyor competency examinations. In prior years, the examination was prepared by a former and now retired board member. The exam format has been updated as recommended by licensed Arkansas surveyors; this requires the consultant to grade and score newly-added math problems.
C08	The agency requests \$25,000 for FY12 only for IT upgrades and replacements to comply with the 5 year replacement provision located on the Operations Hardware tab of the board's IT plan.