

# STATE BOARD OF PROF ENGINEERS & LAND SURVEYORS

## Enabling Laws

Act 787 2007

Acts of Arkansas No. 214 of 1953 (which amended Acts of Arkansas No. 202 of 1925)

See A.C.A. §17-30-101 et seq.

Acts of Arkansas No. 101 of 1967, as amended.

See A.C.A. §17-48-101 et seq.

## History and Organization

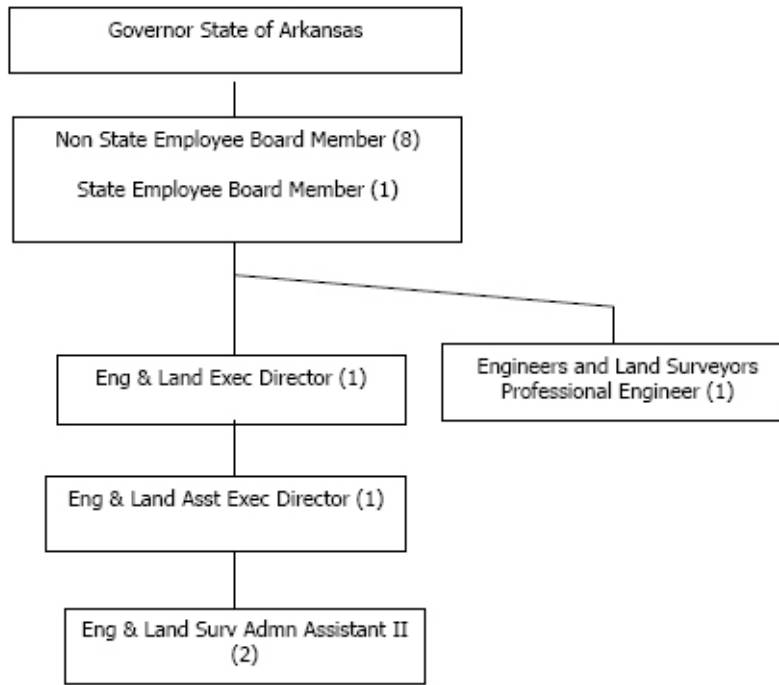
The Arkansas General Assembly saw the need to regulate the practice of Engineering. They passed Act 202 of 1925 to create the Agency. A Board was established to review the qualifications of individuals to insure they met certain controlling and minimum qualifications to be awarded a license to practice 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 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 is requesting a total \$79,680 in FY10 and \$34,680 in FY11.

Increases in the first year only:

Professional Fees (10) of \$20,000 will be used for:

- development of a new Arkansas law surveying examination to replace the examination in use for the last 10+ years;
- conversion of our current website to conform to the new format;
- development of on-line license application to provide better services to current and potential license holders; and

Capital Outlay (11) of \$25,000 will be used for:

- purchase of document imaging software and hardware to protect the integrity of 80+ years of registrant files currently stored as paper in non-fire proof cabinets and to complement on-line application program that will provide better service to current and potential license holders.

Net increases to Maintenance & General Operations in the 1<sup>st</sup> and 2<sup>nd</sup> year of the biennium:

Operating Expenses (02) - \$32,680 will be used for:

- replacement of an 8 year old copier with a leased multi-purpose machine, enabling staff to provide more efficient service to the public;
- reimbursement of Board Members for increased mileage and associated costs in the performance of their duties;

- maintenance costs for documents imaging software and related hardware, to protect the integrity of 80+ years of registrant files currently stored as paper in non-fire proof cabinets; and
- purchase of twice yearly administered examinations and related testing supplies from sole source vendor will increase effective Fiscal Year 2009.
- Miscellaneous Technical Services - to reflect DIS equipment and hosting charges resulting from moving agency database and electronic files from aging on-site computer file server (8 years) to DIS equipment and server at remote location.

Conference & Travel Expenses (09) - \$2,000 will be used for:

- staff travel and training expenses resulting from additional Professional Engineer staff position added in 2008) to attend continuing education.

Reallocation of resources:

- to properly classify \$7,600 from Data Processing to Operating Expenses.

One time increase in revenue in FY10:

- A recent decision by the Board to phase in biennial license renewals will result in additional revenue receipts of approximately \$150,000 during the first year of the biennium due to half its license holders paying renewal fees for two years (the other half will pay for one year). The Board is seeking to use a portion of this increase to invest in document imaging software and hardware, develop an on-line application process, update the website, and revise the Arkansas surveyor examination.

## 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, 2005

Findings	Recommendations
None	None

## Employment Summary

	Male	Female	Total	%
White Employees	2	2	4	80 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	1	1	20 %
Total Minorities			1	20 %
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

FY2006 - 2007						FY2007 - 2008						FY2008 - 2009					
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			Total	Total	Filled	Unfilled			Total	Total	Filled	Unfilled	
4	5	0	5	-1	-25.00 %	5	5	0	5	0	0.00 %	5	5	0	5	0	0.00 %

Budgeted Positions exceed authorized in FY07 due to approval of a Supplemental Emergency Position.

## Analysis of Budget Request

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

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

The purpose of the Arkansas State Board of Registration for Professional Engineers & Land Surveyors is to ensure the public, through rules and regulations, that professional engineers or land surveyors will provide competent services to the State's citizens. The Board is authorized to levy fines and penalties on those individuals or firms who provide substandard engineering services or substandard land surveying services to the public. The Board is funded from application, certificate, and renewal fees charged pursuant to Arkansas Code Annotated §17-30-304.

Base Level positions were changed from unclassified to classified to reflect the recommendations of the Pay Plan Study and salaries were adjusted accordingly. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level request for Regular Salaries may include board member Stipend payments and Career Service payments for eligible employees. Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

Change Level Requests total \$79,680 for FY10 and \$34,680 for FY11, for Operating Expenses, Conference & Travel Expense, Professional Fees, and Capital Outlay. The Operating Expenses increase of \$32,680 for FY10 and FY11 is for educational supplies and materials, other rent & leases, board member travel, software licenses, and miscellaneous technical services. The Conference & Travel Expense increase of \$2,000 each fiscal year is to allow a new staff member to attend training conferences and seminars. The Professional Fees increase of \$20,000 for FY10 is for the development of a new Arkansas law surveying examination to replace the one used for the last ten (10) years, to convert the web site to conform to the new format, and develop on-line application program which will provide better service to current and potential license holders. The Capital Outlay increase of \$25,000 is for a document imaging machine for conversion of 80 years of registrant files, to complement on-line application, and provide improved data security, is requested for FY10.

The Agency requests a reallocation of resources to properly classify \$7,600 from Data Processing to Operating Expenses for each year of the biennium.

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			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
	2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	2009-2010			2010-2011		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	249,194	232,167	229,967	238,854	238,854	238,854	244,281	244,281	244,281
<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	5,375	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
<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	74,508	64,524	67,796	70,417	70,417	70,417	71,434	71,434	71,434
Supplemental Emerg Positions 5010007	13,440	0	0	0	0	0	0	0	0
Operating Expenses 5020002	183,775	190,181	190,181	190,181	230,461	230,461	190,181	230,461	230,461
Conference & Travel Expenses 5050009	7,237	8,227	8,227	8,227	10,227	10,227	8,227	10,227	10,227
Professional Fees 5060010	1,371	5,744	5,744	5,744	25,744	25,744	5,744	5,744	5,744
Data Processing 5090012	3,607	7,600	7,600	7,600	0	0	7,600	0	0
Capital Outlay 5120011	0	0	0	0	25,000	25,000	0	0	0
<b>Total</b>	<b>538,507</b>	<b>518,443</b>	<b>519,515</b>	<b>531,023</b>	<b>610,703</b>	<b>610,703</b>	<b>537,467</b>	<b>572,147</b>	<b>572,147</b>
<b>Funding Sources</b>									
Fund Balance 4000005	525,634	605,135		705,669	705,669	705,669	878,943	878,943	878,943
Cash Fund 4000045	618,008	618,977		704,297	783,977	783,977	614,297	648,977	648,977
<b>Total Funding</b>	<b>1,143,642</b>	<b>1,224,112</b>		<b>1,409,966</b>	<b>1,489,646</b>	<b>1,489,646</b>	<b>1,493,240</b>	<b>1,527,920</b>	<b>1,527,920</b>
Excess Appropriation/(Funding)	(605,135)	(705,669)		(878,943)	(878,943)	(878,943)	(955,773)	(955,773)	(955,773)
<b>Grand Total</b>	<b>538,507</b>	<b>518,443</b>		<b>531,023</b>	<b>610,703</b>	<b>610,703</b>	<b>537,467</b>	<b>572,147</b>	<b>572,147</b>

Actual and/or Budget amounts in Regular Salaries and Personal Services Matching exceeds the authorized amounts due to salary adjustments during the 2007-2009 biennium and authorization of one (1) Supplemental Emergency Position.

## Change Level by Appropriation

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

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

### Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>531,023</b>	<b>5</b>	<b>531,023</b>	<b>100.0</b>	<b>537,467</b>	<b>5</b>	<b>537,467</b>	<b>100.0</b>
C01	Existing Program	45,680	0	576,703	108.6	25,680	0	563,147	104.8
C04	Reallocation	0	0	576,703	108.6	0	0	563,147	104.8
C08	Technology	34,000	0	610,703	115.0	9,000	0	572,147	106.5

### Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>531,023</b>	<b>5</b>	<b>531,023</b>	<b>100.0</b>	<b>537,467</b>	<b>5</b>	<b>537,467</b>	<b>100.0</b>
C01	Existing Program	45,680	0	576,703	108.6	25,680	0	563,147	104.8
C04	Reallocation	0	0	576,703	108.6	0	0	563,147	104.8
C08	Technology	34,000	0	610,703	115.0	9,000	0	572,147	106.5

### Justification

C01	The Board requests an increase in Operating Expenses of \$23,680 for both FY10 and FY11 for educational supplies & materials; due to increased cost of examinations from the national organization, other rent & leases; for a replacement copier, board member travel, and miscellaneous technical services. An increase in Conference & Travel of \$2,000 each year of the biennium is requested due to an increase in staff. The Board requests an increase of \$20,000 for FY10 in Professional Fees to develop a new Arkansas law surveying examination to replace the one in use for over the last ten (10) years; to convert the current web site to conform to the new format; and develop on-line application program which will provide better service to current and potential license holders.
C04	The agency requests a reallocation of resources to properly classify \$7,600 from Data Processing to Operating Expenses for expenses associated with support and maintenance of their database.
C08	The agency requests an increase in Capital Outlay of \$25,000 for FY10 for a document imaging machine for conversion of 80 years of registrant files, to complement on-line application, and provide improved data security. In conjunction with the imaging equipment, the board also requests an increase in Operating Expenses of \$9,000 for FY10 and FY11 for associated software licenses and DIS hosting charges. This appears on the agency's IT Plan on the Hardware and Software Tabs under the Major Applications Tab.