

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE STATE BOARD OF ARCHITECTS FOR  
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER  
11 PURPOSES."

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

15 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
16 Board of Architects for the 1991-93 biennium, the following maximum number of  
17 regular employees whose salaries shall be governed by the provisions of the  
18 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
19 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
20 that any position to which a specific maximum annual salary is set out herein  
21 in dollars, shall be exempt from the provisions of said Uniform Classification  
22 and Compensation Act. All persons occupying positions authorized herein are  
23 hereby governed by the provisions of the Regular Salaries Procedures and  
24 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	No. of	Maximum Annual		
			Maximum	Salary Rate	
		No. of	Fiscal Years		
No.	Code	Title	Employees	1991-92	1992-93
30	(1) 7213	BD OF ARCH EXEC DIR/INVESTIGATOR	1	\$ 40,000	\$ 40,000
31	(2) 7214	BD OF ARCH ADMIN ASST/OFC MGR	1	\$ 18,715	\$ 19,650
32	(3) 7215	BD OF ARCH CLERK/BOOKKEEPER	<u>1</u>	\$ 5,504	\$ 5,779
33 MAX NO. OF EMPLOYEES			3		

35 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State

1 Board of Architects, to be payable from cash funds as defined by Arkansas Code  
 2 19-4-801 of the State Board of Architects, for personal services and operating  
 3 expenses of the State Board of Architects for the biennial period ending June  
 4 30, 1993, the following:

6 <u>ITEM</u>	<u>FISCAL YEARS</u>	
7 NO.	1991-92	1992-93
8 (01) REGULAR SALARIES	\$ 64,219	\$ 65,429
9 (02) PERSONAL SERV MATCHING	15,983	
10 16,556 (03) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSES \$ 45,583	\$ 45,583	
12 (B) CONF. & TRAVEL 6,000	6,000	
13 (C) PROF. FEES 0	0	
14 (D) CAPITAL OUTLAY 0	0	
15 (E) DATA PROCESSING <u>0</u>	<u>0</u>	
16 TOTAL MAINT. & GEN. OPER.	51,583	51,583
17 (04) CONTRACT SALARIES	2,850	
18 2,850 (05) EXAMS	<u>15,000</u>	
19 <u>15,000</u> TOTAL AMOUNT APPROPRIATED	<u>\$ 149,635</u> \$	
20 <u>151,418</u>		

21 SECTION 3. CONTRACT SALARIES. There is hereby authorized, for the  
 22 State Board of Architects, for the 1991-93 biennium, the following additional  
 23 salaries for certain positions provided in the Regular Salary schedule in this  
 24 Act, which shall be in addition to the annual amounts as established in  
 25 Section 1 herein. The position of Board of Architects Administrative  
 26 Assistant/Office Manager is eligible for an additional rate of pay not to  
 27 exceed \$1,650 per year. The position of Board of Architects Executive  
 28 Director/Investigator is eligible for an additional rate of pay not to exceed  
 29 \$1,200 per year. The additional salaries authorized herein shall be payable  
 30 from the appropriation provided by this Act for Contract Salaries. Funding  
 31 for the appropriation for contract salaries shall be made available to the  
 32 Arkansas State Board of Architects by the Advisory Committee for Registration  
 33 of Landscape Architects through a contractual agreement for services to be  
 34 provided by those employees of the State Board of Architects designated herein  
 35 and such amounts are limited by the amounts received through and under the

1 terms of such contractual agreement.

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3 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
4 this Act for Maintenance and General Operation shall be expended in payment  
5 for services of attorneys, unless the agency shall first make a request in  
6 writing to the Attorney General of the State of Arkansas to provide the  
7 required legal services. The Attorney General's Office shall provide the  
8 requested legal services, or, if the Attorney General's Office shall determine  
9 that sufficient personnel are not available to provide the requested legal  
10 services, the Attorney General shall certify the same to the agency and may  
11 authorize the agency to employ legal counsel and to expend monies appropriated  
12 for Maintenance and General Operations therefor, if:

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

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

17 Such certification shall be required with respect to each instance of  
18 the employment of special legal counsel, or shall be required annually with  
19 respect to legal counsel employed on a retainer basis. A copy of such  
20 certification shall be entered in the official minutes of the agency, and  
21 shall be retained in the fiscal records of the agency for audit purposes.

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23 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
24 authorized by this Act shall be limited to the appropriation for such agency  
25 and funds made available by law for the support of such appropriations; and  
26 the restrictions of the State Purchasing Law, the General Accounting and  
27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
28 Procedures and Restrictions Act, or their successors, and other fiscal control  
29 laws of this State, where applicable, and regulations promulgated by the  
30 Department of Finance and Administration, as authorized by law, shall be  
31 strictly complied with in disbursement of said funds.

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33 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
34 Assembly that any funds disbursed under the authority of the appropriations  
35 contained in this Act shall be in compliance with the stated reasons for which

1 this Act was adopted, as evidenced by the Agency Requests, Executive  
2 Recommendations and Legislative Recommendations contained in the budget  
3 manuals prepared by the Department of Finance and Administration, letters, or  
4 summarized oral testimony in the official minutes of the Arkansas Legislative  
5 Council or Joint Budget Committee which relate to its passage and adoption.

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7 SECTION 7. CODE. All provisions of this Act of a general and permanent  
8 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
9 Code Revision Commission shall incorporate the same in the Code.

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11 SECTION 8. SEVERABILITY. If any provision of this Act or the  
12 application thereof to any person or circumstance is held invalid, such  
13 invalidity shall not affect other provisions or applications of the Act which  
14 can be given effect without the invalid provision or application, and to this  
15 end the provisions of this Act are declared to be severable.

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17 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict  
18 with this Act are hereby repealed.

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20 SECTION 10. HEALTH PREMIUMS. The State Board of Architects shall not,  
21 during the 1992-93 fiscal year, spend more for health insurance per employee  
22 than the amount being contributed to the State Employees Health Insurance  
23 Program.

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25 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
26 Seventy-Eighth General Assembly, that the Constitution of the State of  
27 Arkansas prohibits the appropriation of funds for more than a two (2) year  
28 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
29 operation of the agency for which the appropriations in this Act are provided,  
30 and that in the event of an extension of the Regular Session, the delay in the  
31 effective date of this Act beyond July 1, 1991 could work irreparable harm  
32 upon the proper administration and provision of essential governmental  
33 programs. Therefore, an emergency is hereby declared to exist and this Act  
34 being necessary for the immediate preservation of the public peace, health and  
35 safety shall be in full force and effect from and after July 1, 1991.

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