

1 State of Arkansas  
2 83rd General Assembly  
3 First Extraordinary Session, 2002  
4

Call Item 4

# A Bill

HOUSE BILL 1008

5 By: Representatives Hutchinson, D. Elliott, Files, Parks, Minton, Bledsoe, Holt, Womack, Napper,  
6 Bright, Magnus, Duggar, Fite, Jackson  
7 By: Senators DeLay, Hunter  
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## For An Act To Be Entitled

11 AN ACT CONCERNING THE LICENSE FEE FOR LANDSCAPE  
12 ARCHITECTS; TO LIMIT THE EXPENDITURE OF GENERAL  
13 REVENUES; TO CREATE THE ARKANSAS RAINY DAY FUND  
14 TO BE USED IN THE EVENT OF CONTINUED ECONOMIC  
15 DISTRESS DURING FISCAL YEAR 2003 OR THEREAFTER;  
16 TO CREATE THE ARKANSAS TAX RELIEF FUND; AND FOR  
17 OTHER PURPOSES.  
18

## Subtitle

19 CONCERNING THE LICENSE FEE FOR LANDSCAPE  
20 ARCHITECTS; LIMITING THE EXPENDITURE OF  
21 GENERAL REVENUES; AND TO CREATE THE  
22 ARKANSAS RAINY DAY FUND TO BE USED IN  
23 THE EVENT OF CONTINUED ECONOMIC DISTRESS  
24 DURING FISCAL YEAR 2003 OR THEREAFTER.  
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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30 SECTION 1. Arkansas Code 17-36-305(a)(1) is amended to read as  
31 follows:

32 (a)(1) Every landscape architect shall pay an annual license fee in an  
33 amount determined by the Arkansas State Board of Landscape Architects not to  
34 exceed ~~three hundred dollars (\$300)~~ two hundred ninety-nine dollars (\$299).  
35 The fee shall be due and payable annually on a date designated by the board.  
36

1           SECTION 2. (a) There is created on the books of the Treasurer of  
2 State, the Auditor of State, and the Chief Fiscal Officer of the State a  
3 special revenue fund to be known as the "Arkansas Rainy Day Fund."

4           (b)(1) The fund shall consist of such moneys as are provided under  
5 this subsection (b) and shall be used for the purposes set out in this act.

6           (2) All general revenues available to be distributed in a fiscal  
7 year in excess of an amount equal to the amount of general revenue  
8 distributed by the state in the previous fiscal year, adjusted by the  
9 percentage change in the consumer price index of the previous four (4)  
10 available quarters, shall instead be transferred by the State Treasurer into  
11 the Arkansas Rainy Day Fund.

12           (c)(1)(A) If the Chief Fiscal Officer of the State determines that  
13 projected general revenue distributions will not equal the amount of general  
14 revenues distributed by the state in the previous fiscal year, adjusted by  
15 the percentage change in the consumer price index of the previous four (4)  
16 available quarters, then the Governor may cause the transfer from the  
17 Arkansas Rainy Day Fund to the General Revenue Fund Account as "general  
18 revenues available for distribution" in an amount not to exceed the projected  
19 shortfall. No more money shall be transferred than is required to meet the  
20 actual shortfall.

21           (B) Prior to causing the transfer, the Governor shall  
22 submit the proposal to the Legislative Council for its review.

23           (2)(A) There is created on the books of the Treasurer of State,  
24 the Auditor of State, and the Chief Fiscal Officer of the State a special  
25 revenue fund to be known as the "Arkansas Tax Relief Fund."

26           (B) If the Rainy Day Fund exceeds an amount equal to ten  
27 percent (10%) of general revenues distributed in the previous fiscal year,  
28 then any excess above that amount shall be transferred to the Arkansas Tax  
29 Relief Fund and shall be used only for the purpose of providing tax relief as  
30 may be appropriated by the General Assembly.

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32           SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
33 General Assembly that the general revenues of the State of Arkansas have  
34 significantly decreased as a result of distressed economic conditions; that a  
35 contingency fund should be created and funded for the purpose of adequately  
36 maintaining necessary state programs and services; and that this act is

1 immediately necessary in order to adequately fund the Arkansas Rainy Day  
2 Fund. Therefore, an emergency is declared to exist and this act being  
3 immediately necessary for the preservation of the public peace, health, and  
4 safety shall become effective on the date of its approval by the Governor.  
5 If the bill is neither approved nor vetoed by the Governor, it shall become  
6 effective on the expiration of the period of time during which the Governor  
7 may veto the bill. If the bill is vetoed by the Governor and the veto is  
8 overridden, it shall become effective on the date the last house overrides  
9 the veto.

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