

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 1101

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 STATE BOARD OF ARCHITECTS FOR THE BIENNIAL PERIOD  
12 ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE ARKANSAS STATE BOARD OF  
16 ARCHITECTS APPROPRIATION FOR THE  
17 2003-2005 BIENNIUM.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for  
24 the Arkansas State Board of Architects for the 2003-2005 biennium, the  
25 following maximum number of regular employees whose salaries shall be  
26 governed by the provisions of the Uniform Classification and Compensation Act  
27 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
28 thereto. Provided, however, that any position to which a specific maximum  
29 annual salary is set out herein in dollars, shall be exempt from the  
30 provisions of said Uniform Classification and Compensation Act. All persons  
31 occupying positions authorized herein are hereby governed by the provisions  
32 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
33 101), or its successor.  
34

35 Maximum Annual  
36 Maximum Salary Rate



| Item | Class | No. of                        | Fiscal Years |           |           |
|------|-------|-------------------------------|--------------|-----------|-----------|
| No.  | Code  | Title                         | Employees    | 2003-2004 | 2004-2005 |
| (1)  | 7213  | BD OF ARCH DIRECTOR           | 1            | \$73,740  | \$75,541  |
| (2)  | 7214  | BD OF ARCH ADMIN ASST/OFC MGR | 1            | \$38,889  | \$39,939  |
| (3)  | 7215  | BD OF ARCH CLERK/BOOKKEEPER   | <u>1</u>     | \$21,089  | \$21,659  |
|      |       | MAX. NO. OF EMPLOYEES         | 3            |           |           |

SECTION 2. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to the Arkansas State Board of Architects, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas State Board of Architects, for personal services and operating expenses of the Arkansas State Board of Architects for the biennial period ending June 30, 2005, the following:

| ITEM                         | FISCAL YEARS      |                   |
|------------------------------|-------------------|-------------------|
| NO.                          | 2003-2004         | 2004-2005         |
| (01) REGULAR SALARIES        | \$ 133,880        | \$ 137,494        |
| (02) PERSONAL SERV MATCH     | 33,790            | 34,430            |
| (03) MAINT. & GEN. OPERATION |                   |                   |
| (A) OPER. EXPENSE            | 107,444           | 107,444           |
| (B) CONF. & TRAVEL           | 5,750             | 5,750             |
| (C) PROF. FEES               | 13,000            | 13,000            |
| (D) CAP. OUTLAY              | 0                 | 0                 |
| (E) DATA PROC.               | 0                 | 0                 |
| (04) EXAMS                   | <u>13,892</u>     | <u>13,892</u>     |
| TOTAL AMOUNT APPROPRIATED    | <u>\$ 307,756</u> | <u>\$ 312,010</u> |

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PERSONAL SERVICES. The Architect Clerk/Bookkeeper shall also be responsible for the administrative activities of the Arkansas Advisory Committee for the Registration of Landscape Architects. The Arkansas Advisory Committee for the Registration of Landscape Architects shall pay to the Arkansas State Board of Architects an amount equal to one-half (1/2) of the salary of the Clerk/Bookkeeper of the Arkansas State Board of Architects and the appropriate matching. This sum shall be paid during the first quarter of each fiscal year.

1 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 2 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

- 14 (1) The Attorney General determines, and certifies in writing, that such  
 15 agency needs the advice or assistance of legal counsel, and
- 16 (2) The Attorney General consents in writing to the employment of the  
 17 legal counsel to be retained by the agency.

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

23  
 24 SECTION 5. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 25 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. BOARD OF  
 26 ARCHITECTS CASH FUND. (A) For all appropriations as provided in this Act,  
 27 the agency disbursing officer shall monitor the level of fund balances in  
 28 relation to expenditures on a monthly basis. If any proposed expenditures  
 29 would cause the Board of Architects Cash Fund to decline below one hundred  
 30 forty-six thousand, one hundred twenty-one dollars (\$146,121.00) a fund  
 31 ~~balance to decline to less than fifty percent (50%) of the balance available~~  
 32 ~~on July 1, 2001~~, the disbursing officer shall immediately notify the  
 33 executive head of the agency. Prior to any obligations being made under  
 34 these circumstances, the agency head shall file written documentation with  
 35 the Chief Fiscal Officer of the State requesting approval of the  
 36 expenditures. Such documentation shall provide sufficient financial data to

1 justify the expenditures and shall include the following:

- 2 1) a plan that clearly indicates the specific fiscal impact of such
- 3 expenditures on the fund balance.
- 4 2) information clearly indicating and explaining what programs would be cut
- 5 or any other measures to be taken by the agency to restore the fund balance.
- 6 3) the extent to which any of the planned expenditures are for one-time costs
- 7 or one-time purchase of capitalized items.
- 8 4) a statement certifying that the expenditure of fund balances will not
- 9 jeopardize the financial health of the agency, nor result in a permanent
- 10 depletion of the fund balance.

11 (B) The Chief Fiscal Officer of the State shall review the request and  
 12 approve or disapprove all or any part of the request, after having sought  
 13 prior review by the Legislative Council.

14 The provisions of this section shall be in effect only from July 1, 2003  
 15 through June 30, 2005.

16  
 17 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 18 by this act shall be limited to the appropriation for such agency and funds  
 19 made available by law for the support of such appropriations; and the  
 20 restrictions of the State Purchasing Law, the General Accounting and  
 21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 22 Procedures and Restrictions Act, or their successors, and other fiscal  
 23 control laws of this State, where applicable, and regulations promulgated by  
 24 the Department of Finance and Administration, as authorized by law, shall be  
 25 strictly complied with in disbursement of said funds.

26  
 27 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 28 that any funds disbursed under the authority of the appropriations contained  
 29 in this act shall be in compliance with the stated reasons for which this act  
 30 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 31 and Legislative Recommendations contained in the budget manuals prepared by  
 32 the Department of Finance and Administration, letters, or summarized oral  
 33 testimony in the official minutes of the Arkansas Legislative Council or  
 34 Joint Budget Committee which relate to its passage and adoption.

35  
 36 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the  
2 appropriation of funds for more than a two (2) year period; that the  
3 effectiveness of this Act on July 1, 2003 is essential to the operation of  
4 the agency for which the appropriations in this Act are provided, and that in  
5 the event of an extension of the Regular Session, the delay in the effective  
6 date of this Act beyond July 1, 2003 could work irreparable harm upon the  
7 proper administration and provision of essential governmental programs.  
8 Therefore, an emergency is hereby declared to exist and this Act being  
9 necessary for the immediate preservation of the public peace, health and  
10 safety shall be in full force and effect from and after July 1, 2003.

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36