

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

A Bill ACT 86 OF 1991
SENATE BILL 210

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.	Code	Title	Employees	Maximum Annual	
						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
 36 Board of Architects, to be payable from cash funds as defined by Arkansas Code

1 19-4-801 of the State Board of Architects, for personal services and operating
 2 expenses of the State Board of Architects for the biennial period ending June
 3 30, 1993, the following:

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

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

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

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

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

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

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

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32 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this Act shall be in compliance with the stated reasons for which
35 this Act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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

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

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APPROVED: 2-7-91