

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Joint Budget Committee**

# A Bill

**ACT 58 OF 1995**  
**SENATE BILL 76**

## 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, 1997; AND FOR OTHER  
11 PURPOSES."

## Subtitle

14 "AN ACT FOR THE STATE BOARD OF  
15 ARCHITECTS APPROPRIATION FOR THE 1995-97  
16 BIENNIUM."

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

20 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
21 Board of Architects for the 1995-97 biennium, the following maximum number of  
22 regular employees whose salaries shall be governed by the provisions of the  
23 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
24 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
25 that any position to which a specific maximum annual salary is set out herein  
26 in dollars, shall be exempt from the provisions of said Uniform Classification  
27 and Compensation Act. All persons occupying positions authorized herein are  
28 hereby governed by the provisions of the Regular Salaries Procedures and  
29 Restrictions Act (Arkansas Code §21-5-101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1995-96</del>	<del>1996-97</del>
35	(1)	7213 BD OF ARCH EXEC DIR/INVESTIGATOR	1	\$ 45,251	\$ 46,382
36	(2)	7214 BD OF ARCH ADMIN ASST/OFC MGR	1	\$ 22,230	\$ 22,785

1 (3) 7215 BD OF ARCH CLERK/BOOKKEEPER 1 \$ 6,536 \$ 6,699  
 2 MAX NO. OF EMPLOYEES 3

3  
 4 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State  
 5 Board of Architects, to be payable from cash funds as defined by Arkansas Code  
 6 19-4-801 of the State Board of Architects, for personal services and operating  
 7 expenses of the State Board of Architects for the biennial period ending June  
 8 30, 1997, the following:

10 ITEM	FISCAL YEARS	
11 <del>NO.</del>	<del>1995-96</del>	<del>1996-97</del>
12 (01) REGULAR SALARIES	\$ 72,204	\$ 72,204
13 (02) PERSONAL SERV MATCHING	18,137	18,137
14 (03) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE \$ 61,790	\$ 61,790	
16 (B) CONF. & TRVL. 4,820	4,820	
17 (C) PROF. FEES 12,000	12,000	
18 (D) CAP. OUTLAY 3,000	3,500	
19 (E) DATA PROC. <u>0</u>	<u>0</u>	
20 TOTAL MAINT. & GEN. OPER.	81,610	82,110
21 (04) CONTRACT SALARIES	2,850	2,850
22 (05) EXAMS	<u>15,000</u>	<u>15,000</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$ 189,801</u>	<u>\$ 190,301</u>

24  
 25 SECTION 3. CONTRACT SALARIES. There is hereby authorized, for the  
 26 State Board of Architects, for the 1995-97 biennium, the following additional  
 27 salaries for certain positions provided in the Regular Salary schedule in this  
 28 Act, which shall be in addition to the annual amounts as established in  
 29 Section 1 herein. The position of Board of Architects Administrative  
 30 Assistant/Office Manager is eligible for an additional rate of pay not to  
 31 exceed \$1,650 per year. The position of Board of Architects Executive  
 32 Director/Investigator is eligible for an additional rate of pay not to exceed  
 33 \$1,200 per year. The additional salaries authorized herein shall be payable  
 34 from the appropriation provided by this Act for Contract Salaries. Funding  
 35 for the appropriation for contract salaries shall be made available to the

1 Arkansas State Board of Architects by the Advisory Committee for Registration  
2 of Landscape Architects through a contractual agreement for services to be  
3 provided by those employees of the State Board of Architects designated herein  
4 and such amounts are limited by the amounts received through and under the  
5 terms of such contractual agreement.

6

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

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

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

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

26

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

1

2           SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
3 Assembly that any funds disbursed under the authority of the appropriations  
4 contained in this Act shall be in compliance with the stated reasons for which  
5 this Act was adopted, as evidenced by the Agency Requests, Executive  
6 Recommendations and Legislative Recommendations contained in the budget  
7 manuals prepared by the Department of Finance and Administration, letters, or  
8 summarized oral testimony in the official minutes of the Arkansas Legislative  
9 Council or Joint Budget Committee which relate to its passage and adoption.

10

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

14

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

20

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

23

24           SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
25 Eightieth General Assembly, that the Constitution of the State of Arkansas  
26 prohibits the appropriation of funds for more than a two (2) year period; that  
27 the effectiveness of this Act on July 1, 1995 is essential to the operation of  
28 the agency for which the appropriations in this Act are provided, and that in  
29 the event of an extension of the Regular Session, the delay in the effective  
30 date of this Act beyond July 1, 1995 could work irreparable harm upon the  
31 proper administration and provision of essential governmental programs.  
32 Therefore, an emergency is hereby declared to exist and this Act being  
33 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, 1995.

35

1  
2

APPROVED: 1/26/95