

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.
Act 850 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1110

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, 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE ARKANSAS STATE BOARD OF
16 ARCHITECTS APPROPRIATION FOR THE
17 2005-2007 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
24 State Board of Architects for the 2005-2007 biennium, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
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35 Maximum Annual



Item	Class	Maximum	Salary Rate
No.	Code Title	No. of	Fiscal Years
		Employees	2005-2006 2006-2007
(1)	7213 BD OF ARCH DIRECTOR	1	\$80,073 \$82,144
(2)	7214 BD OF ARCH ADMIN ASST/OFC MGR	1	\$42,335 \$43,605
(3)	7215 BD OF ARCH CLERK/BOOKKEEPER	<u>1</u>	\$28,292 \$29,141
	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, 2007, the following:

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 150,700	\$ 154,890
(02) PERSONAL SERVICES MATCHING	39,851	40,639
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	121,991	125,451
(B) CONF. & TRAVEL	5,750	5,750
(C) PROF. FEES	8,000	8,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) EXAMS	<u>13,892</u>	<u>13,892</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 340,184</u>	<u>\$ 348,622</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

1 each fiscal year.

2 The provisions of this section shall be in effect only from July 1, 2003
 3 2005 through June 30, ~~2005~~ 2007.

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 5 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 7 BALANCES. BOARD OF ARCHITECTS CASH FUND. (A) For all appropriations as
 8 provided in this Act, the agency disbursing officer shall monitor the level
 9 of fund balances in relation to expenditures on a monthly basis. If any
 10 proposed expenditures would cause the Board of Architects Cash Fund to
 11 decline below one hundred forty-six thousand, one hundred twenty-one dollars
 12 (\$146,121.00), the disbursing officer shall immediately notify the executive
 13 head of the agency. Prior to any obligations being made under these
 14 circumstances, the agency head shall file written documentation with the
 15 Chief Fiscal Officer of the State requesting approval of the expenditures.
 16 Such documentation shall provide sufficient financial data to justify the
 17 expenditures and shall include the following:

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

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

30 The provisions of this section shall be in effect only from July 1, 2003
 31 2005 through June 30, ~~2005~~ 2007.

32
 33 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 34 this Act for Maintenance and General Operation shall be expended in payment
 35 for services of attorneys, unless the agency shall first make a request in
 36 writing to the Attorney General of the State of Arkansas to provide the

1 required legal services. The Attorney General's Office shall provide the
 2 requested legal services, or, if the Attorney General's Office shall
 3 determine that sufficient personnel are not available to provide the
 4 requested legal services, the Attorney General shall certify the same to the
 5 agency and may authorize the agency to employ legal counsel and to expend
 6 monies appropriated for Maintenance and General Operations therefor, if:

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

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

11 Such certification shall be required with respect to each instance of the
 12 employment of special legal counsel, or shall be required annually with
 13 respect to legal counsel employed on a retainer basis. A copy of such
 14 certification shall be entered in the official minutes of the agency, and
 15 shall be retained in the fiscal records of the agency for audit purposes.
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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 Procurement 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.
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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.
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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, 2005 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, 2005 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, 2005.

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13 APPROVED: 3/15/2005
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