

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 909 of the Regular Session**

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

*As Engrossed: H3/2/05*

**A Bill**

HOUSE BILL 1124

4  
5 By: Joint Budget Committee  
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**For An Act To Be Entitled**

8  
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 MANUFACTURED HOME COMMISSION FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER  
13 PURPOSES.  
14

**Subtitle**

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16 AN ACT FOR THE ARKANSAS MANUFACTURED  
17 HOME COMMISSION APPROPRIATION FOR THE  
18 2005-2007 BIENNIUM.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for  
25 the Arkansas Manufactured Home Commission for the 2005-2007 biennium, the  
26 following maximum number of regular employees whose salaries shall be  
27 governed by the provisions of the Uniform Classification and Compensation Act  
28 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
29 thereto. Provided, however, that any position to which a specific maximum  
30 annual salary is set out herein in dollars, shall be exempt from the  
31 provisions of said Uniform Classification and Compensation Act. All persons  
32 occupying positions authorized herein are hereby governed by the provisions  
33 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
34 101), or its successor.  
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Item	Class	No. of	Maximum Annual		
			Maximum	Salary Rate	
No.	Code	Title	Employees	2005-2006	2006-2007
(1)	408Z	MANUFACTURED HOME COMM DIRCTR	1	GRADE 24	
(2)	Q048	MANUFACTURED HOUSING SPEC SUPV	1	GRADE 20	
(3)	Q047	MANUFACTURED HOUSING SPEC	3	GRADE 18	
(4)	R440	BUSINESS CONTROLLER II	1	GRADE 16	
(5)	K153	SECRETARY II	1	GRADE 13	
MAX. NO. OF EMPLOYEES			7		

SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Arkansas Manufactured Home Commission, to be payable from the Manufactured Home Standards Fund, for personal services and operating expenses of the Arkansas Manufactured Home Commission for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 218,897	\$ 225,434
(02) PERSONAL SERVICES MATCHING	69,283	70,547
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	63,538	63,538
(B) CONF. & TRAVEL	7,500	7,500
(C) PROF. FEES	3,050	3,050
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	2,500	2,500
TOTAL AMOUNT APPROPRIATED	\$ 364,768	\$ 372,569

SECTION 3. APPROPRIATION - INVESTMENTS AND CLAIMS. There is hereby appropriated, to the Arkansas Manufactured Home Commission, to be payable from the Manufactured Housing Recovery Fund, for payment of investments and claims by the Arkansas Manufactured Home Commission for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 15,000	\$ 15,000
(B) CONF. & TRAVEL	15,000	15,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	5,000	5,000
(E) DATA PROC.	0	0
(02) REFUNDS/REIMBURSEMENTS	50,000	50,000
(03) CLAIMS	<u>135,000</u>	<u>135,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 220,000</u>	<u>\$ 220,000</u>

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES - MANUFACTURED HOME STANDARDS FUND. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause the Manufactured Home Standards Fund to decline below one hundred thousand dollars (\$100,000)~~one hundred thirty three thousand eight hundred thirty three dollars (\$133,833)~~, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

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

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

4 The provisions of this section shall be in effect only from July 1, 2003  
5 2005 through June 30, ~~2005~~ 2007.

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7 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
8 by this act shall be limited to the appropriation for such agency and funds  
9 made available by law for the support of such appropriations; and the  
10 restrictions of the State Procurement Law, the General Accounting and  
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
12 Procedures and Restrictions Act, or their successors, and other fiscal  
13 control laws of this State, where applicable, and regulations promulgated by  
14 the Department of Finance and Administration, as authorized by law, shall be  
15 strictly complied with in disbursement of said funds.

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17 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
18 that any funds disbursed under the authority of the appropriations contained  
19 in this act shall be in compliance with the stated reasons for which this act  
20 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
21 and Legislative Recommendations contained in the budget manuals prepared by  
22 the Department of Finance and Administration, letters, or summarized oral  
23 testimony in the official minutes of the Arkansas Legislative Council or  
24 Joint Budget Committee which relate to its passage and adoption.

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26 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
27 Assembly, that the Constitution of the State of Arkansas prohibits the  
28 appropriation of funds for more than a two (2) year period; that the  
29 effectiveness of this Act on July 1, 2005 is essential to the operation of  
30 the agency for which the appropriations in this Act are provided, and that in  
31 the event of an extension of the Regular Session, the delay in the effective  
32 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
33 proper administration and provision of essential governmental programs.  
34 Therefore, an emergency is hereby declared to exist and this Act being  
35 necessary for the immediate preservation of the public peace, health and  
36 safety shall be in full force and effect from and after July 1, 2005.

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*/s/ Joint Budget Committee*

*APPROVED: 3/18/2005*

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