

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 83rd General Assembly
3 Regular Session, 2001

A Bill

Act 118 of 2001
HOUSE BILL 1367

4
5 By: Joint Budget Committee
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7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF
11 ARCHITECTS FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2003; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE ARKANSAS STATE BOARD
16 OF ARCHITECTS APPROPRIATION FOR THE
17 2001-2003 BIENNIAL PERIOD.
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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 - OPERATIONS. There is hereby established for
24 the Arkansas State Board of Architects for the 2001-2003 biennium, the
25 following maximum number of regular employees whose salaries shall be governed
26 by the provisions of the Uniform Classification and Compensation Act (Arkansas
27 Code §§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 salary
29 is set out herein in dollars, shall be exempt from the provisions of said
30 Uniform Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
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Maximum Annual
Maximum Salary Rate

Item Class	No. of	Fiscal Years
No. Code Title	Employees	2001-2002 2002-2003
(1) 7213 ARCHITECT BD DIRECTOR	1	\$70,149 \$71,973
(2) 7214 ARCHITECT BD ASST/OFFICE MANAGER	1	\$36,907 \$37,867
(3) 7215 ARCHITECT BD CLERK	<u>1</u>	\$20,000 \$20,520
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, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 127,056	\$ 130,360
(02) PERSONAL SERV MATCHING	31,393	31,887
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	102,444	102,444
(B) CONF. & TRAVEL	5,750	5,750
(C) PROF. FEES	13,000	13,000
(D) CAP. OUTLAY	3,481	2,391
(E) DATA PROC.	0	0
(04) EXAMS	<u>13,892</u>	<u>13,892</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 297,016</u>	<u>\$ 299,724</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 through June 30, 2003.

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4 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this
5 Act for Maintenance and General Operation shall be expended in payment for
6 services of attorneys, unless the agency shall first make a request in writing
7 to the Attorney General of the State of Arkansas to provide the required legal
8 services. The Attorney General's Office shall provide the requested legal
9 services, or, if the Attorney General's Office shall determine that sufficient
10 personnel are not available to provide the requested legal services, the
11 Attorney General shall certify the same to the agency and may authorize the
12 agency to employ legal counsel and to expend monies appropriated for
13 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. (A) For all
26 appropriations as provided in this Act, the agency disbursing officer shall
27 monitor the level of fund balances in relation to expenditures on a monthly
28 basis. If any proposed expenditures would cause a fund balance to decline to
29 less than fifty percent (50%) of the balance available on July 1, 2001, the
30 disbursing officer shall immediately notify the executive head of the agency.

31 Prior to any obligations being made under these circumstances, the agency
32 head shall file written documentation with the Chief Fiscal Officer of the
33 State requesting approval of the expenditures. Such documentation shall
34 provide sufficient financial data to justify the expenditures and shall
35 include the following:

36 1) a plan that clearly indicates the specific fiscal impact of such

- 1 expenditures on the fund balance.
- 2 2) information clearly indicating and explaining what programs would be cut or
- 3 any other measures to be taken by the agency to restore the fund balance.
- 4 3) the extent to which any of the planned expenditures are for one-time costs
- 5 or one-time purchase of capitalized items.
- 6 4) a statement certifying that the expenditure of fund balances will not
- 7 jeopardize the financial health of the agency, nor result in a permanent
- 8 depletion of the fund balance.
- 9 (B) The Chief Fiscal Officer of the State shall review the request and
- 10 approve or disapprove all or any part of the request , after having sought
- 11 prior review by the Legislative Council.

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13 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by

14 this act shall be limited to the appropriation for such agency and funds made

15 available by law for the support of such appropriations; and the restrictions

16 of the State Purchasing Law, the General Accounting and Budgetary Procedures

17 Law, the Revenue Stabilization Law, the Regular Salary Procedures and

18 Restrictions Act, or their successors, and other fiscal control laws of this

19 State, where applicable, and regulations promulgated by the Department of

20 Finance and Administration, as authorized by law, shall be strictly complied

21 with in disbursement of said funds.

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23 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly

24 that any funds disbursed under the authority of the appropriations contained

25 in this act shall be in compliance with the stated reasons for which this act

26 was adopted, as evidenced by the Agency Requests, Executive Recommendations

27 and Legislative Recommendations contained in the budget manuals prepared by

28 the Department of Finance and Administration, letters, or summarized oral

29 testimony in the official minutes of the Arkansas Legislative Council or Joint

30 Budget Committee which relate to its passage and adoption.

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

33 Assembly, that the Constitution of the State of Arkansas prohibits the

34 appropriation of funds for more than a two (2) year period; that the

35 effectiveness of this Act on July 1, 2001 is essential to the operation of the

36 agency for which the appropriations in this Act are provided, and that in the

1 event of an extension of the Regular Session, the delay in the effective date
2 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
3 administration and provision of essential governmental programs. Therefore, an
4 emergency is hereby declared to exist and this Act being necessary for the
5 immediate preservation of the public peace, health and safety shall be in full
6 force and effect from and after July 1, 2001.

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9 **APPROVED: 2/7/2001**
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