

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 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 48 of 2003
HOUSE BILL 1101

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, 2005; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS STATE BOARD OF
16 ARCHITECTS APPROPRIATION FOR THE
17 2003-2005 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 - OPERATIONS. There is hereby established for
24 the Arkansas State Board of Architects for the 2003-2005 biennium, the
25 following maximum number of regular employees whose salaries shall be
26 governed by the provisions of the Uniform Classification and Compensation Act
27 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
28 thereto. Provided, however, that any position to which a specific maximum
29 annual salary is set out herein in dollars, shall be exempt from the
30 provisions of said Uniform Classification and Compensation Act. All persons
31 occupying positions authorized herein are hereby governed by the provisions
32 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
33 101), or its successor.
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35 Maximum Annual
36 Maximum Salary Rate



Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2003-2004	2004-2005
(1)	7213	BD OF ARCH DIRECTOR	1	\$73,740	\$75,541
(2)	7214	BD OF ARCH ADMIN ASST/OFC MGR	1	\$38,889	\$39,939
(3)	7215	BD OF ARCH CLERK/BOOKKEEPER	<u>1</u>	\$21,089	\$21,659
		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, 2005, the following:

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 133,880	\$ 137,494
(02) PERSONAL SERV MATCH	33,790	34,430
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	107,444	107,444
(B) CONF. & TRAVEL	5,750	5,750
(C) PROF. FEES	13,000	13,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) EXAMS	<u>13,892</u>	<u>13,892</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 307,756</u>	<u>\$ 312,010</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 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

3
 4 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 5 this Act for Maintenance and General Operation shall be expended in payment
 6 for services of attorneys, unless the agency shall first make a request in
 7 writing to the Attorney General of the State of Arkansas to provide the
 8 required legal services. The Attorney General's Office shall provide the
 9 requested legal services, or, if the Attorney General's Office shall
 10 determine that sufficient personnel are not available to provide the
 11 requested legal services, the Attorney General shall certify the same to the
 12 agency and may authorize the agency to employ legal counsel and to expend
 13 monies appropriated for 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. BOARD OF
 26 ARCHITECTS CASH FUND. (A) For all appropriations as provided in this Act,
 27 the agency disbursing officer shall monitor the level of fund balances in
 28 relation to expenditures on a monthly basis. If any proposed expenditures
 29 would cause the Board of Architects Cash Fund to decline below one hundred
 30 forty-six thousand, one hundred twenty-one dollars (\$146,121.00) a fund
 31 ~~balance to decline to less than fifty percent (50%) of the balance available~~
 32 ~~on July 1, 2001~~, the disbursing officer shall immediately notify the
 33 executive head of the agency. Prior to any obligations being made under
 34 these circumstances, the agency head shall file written documentation with
 35 the Chief Fiscal Officer of the State requesting approval of the
 36 expenditures. Such documentation shall provide sufficient financial data to

1 justify the expenditures and shall include the following:

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

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

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

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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 Purchasing 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, 2003 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, 2003 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, 2003.

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13 APPROVED: 2/3/2003
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