

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE AUCTIONEERS LICENSING BOARD FOR
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "AN ACT FOR THE AUCTIONEERS LICENSING BOARD
15 APPROPRIATION."

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

19 SECTION 1. REGULAR SALARIES. There is hereby established for the
20 Auctioneers Licensing Board for the 1993-95 biennium, the following maximum
21 number of regular employees whose salaries shall be governed by the provisions
22 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201
23 et seq.), or its successor, and all laws amendatory thereto. Provided,
24 however, that any position to which a specific maximum annual salary is set
25 out herein in dollars, shall be exempt from the provisions of said Uniform
26 Classification and Compensation Act. All persons occupying positions
27 authorized herein are hereby governed by the provisions of the Regular
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
29 successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
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No.	Code	Title	Employees	1993-94	1994-95
35	(1)	7555 AUCTIONEER BD SECRETARY	<u>1</u>	\$ 19,819	\$ 20,512

1 MAX NO. OF EMPLOYEES 1

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4 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
5 Auctioneers Licensing Board, to be payable from cash funds as defined by
6 Arkansas Code 19-4-801 of the Auctioneers Licensing Board, for personal
7 services and operating expenses of the Auctioneers Licensing Board for the
8 biennial period ending June 30, 1995, the following:

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10 ITEM	FISCAL YEARS	
11 NO.	1993-94	1994-95
12 (01) REGULAR SALARIES	\$ 19,819	\$ 20,512
13 (02) PERSONAL SERV MATCHING	5,790	5,912
14 (03) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE \$ 14,106	\$ 14,766	
16 (B) CONF. & TRVL. 1,000	1,000	
17 (C) PROF. FEES 10,000	10,000	
18 (D) CAP. OUTLAY 0	0	
19 (E) DATA PROC. 0	0	
20 TOTAL MAINT. & GEN. OPER.	25,106	25,766
21 (04) REFUNDS/REIMBURSEMENTS	<u>500</u>	<u>500</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$ 51,215</u>	<u>\$ 52,690</u>

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25 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
26 this Act for Maintenance and General Operation shall be expended in payment
27 for services of attorneys, unless the agency shall first make a request in
28 writing to the Attorney General of the State of Arkansas to provide the
29 required legal services. The Attorney General's Office shall provide the
30 requested legal services, or, if the Attorney General's Office shall determine
31 that sufficient personnel are not available to provide the requested legal
32 services, the Attorney General shall certify the same to the agency and may
33 authorize the agency to employ legal counsel and to expend monies appropriated
34 for Maintenance and General Operations therefor, if:

35 (1) The Attorney General determines, and certifies in writing, that

1 such agency needs the advice or assistance of legal counsel, and

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

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

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10 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
11 authorized by this Act shall be limited to the appropriation for such agency
12 and funds made available by law for the support of such appropriations; and
13 the restrictions of the State Purchasing Law, the General Accounting and
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
15 Procedures and Restrictions Act, or their successors, and other fiscal control
16 laws of this State, where applicable, and regulations promulgated by the
17 Department of Finance and Administration, as authorized by law, shall be
18 strictly complied with in disbursement of said funds.

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

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29 SECTION 6. CODE. All provisions of this Act of a general and permanent
30 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
31 Code Revision Commission shall incorporate the same in the Code.

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33 SECTION 7. SEVERABILITY. If any provision of this Act or the
34 application thereof to any person or circumstance is held invalid, such
35 invalidity shall not affect other provisions or applications of the Act which

1 can be given effect without the invalid provision or application, and to this
2 end the provisions of this Act are declared to be severable.

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4 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
5 with this Act are hereby repealed.

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7 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
8 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
9 prohibits the appropriation of funds for more than a two (2) year period; that
10 the effectiveness of this Act on July 1, 1993 is essential to the operation of
11 the agency for which the appropriations in this Act are provided, and that in
12 the event of an extension of the Regular Session, the delay in the effective
13 date of this Act beyond July 1, 1993 could work irreparable harm upon the
14 proper administration and provision of essential governmental programs.
15 Therefore, an emergency is hereby declared to exist and this Act being
16 necessary for the immediate preservation of the public peace, health and
17 safety shall be in full force and effect from and after July 1, 1993.

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