

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill ACT 129 OF 1991

HOUSE BILL 1430

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, 1993; AND FOR OTHER
11 PURPOSES."

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

15 SECTION 1. REGULAR SALARIES. There is hereby established for the
16 Auctioneers Licensing Board for the 1991-93 biennium, the following maximum
17 number of regular employees whose salaries shall be governed by the provisions
18 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201
19 et seq.), or its successor, and all laws amendatory thereto. Provided,
20 however, that any position to which a specific maximum annual salary is set
21 out herein in dollars, shall be exempt from the provisions of said Uniform
22 Classification and Compensation Act. All persons occupying positions
23 authorized herein are hereby governed by the provisions of the Regular
24 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
25 successor.

Item	Class		Maximum Annual	
			Maximum	Salary Rate
			No. of	Fiscal Years
No.	Code	Title	Employees	1991-92 1992-93
31	(1)	7555 AUCTIONEER BD SECRETARY	<u>1</u>	\$ 18,055 \$ 18,957
32		MAX NO. OF EMPLOYEES	1	

34 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
35 Auctioneers Licensing Board, to be payable from cash funds as defined by
36 Arkansas Code 19-4-801 of the Auctioneers Licensing Board, for personal

1 services and operating expenses of the Auctioneers Licensing Board for the
2 biennial period ending June 30, 1993, the following:

3		FISCAL YEARS	
4 ITEM		1991-92	1992-93
5 NO.			
6 (01)	REGULAR SALARIES	\$ 17,015	\$ 17,015
7 (02)	PERSONAL SERV MATCHING	4,550	4,670
8 (03)	MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSES	\$ 10,460	\$ 11,056
10	(B) CONF. & TRAVEL	0	0
11	(C) PROF. FEES	10,000	10,000
12	(D) CAPITAL OUTLAY	2,000	2,000
13	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
14	TOTAL MAINT. & GEN. OPER.	22,460	23,056
15 (04)	FEE REFUNDS	<u>500</u>	<u>500</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 44,525</u>	<u>\$ 45,241</u>

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

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

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

32 Such certification shall be required with respect to each instance of
33 the employment of special legal counsel, or shall be required annually with
34 respect to legal counsel employed on a retainer basis. A copy of such
35 certification shall be entered in the official minutes of the agency, and

1 shall be retained in the fiscal records of the agency for audit purposes.

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

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

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

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27 SECTION 7. SEVERABILITY. If any provision of this Act or the
28 application thereof to any person or circumstance is held invalid, such
29 invalidity shall not affect other provisions or applications of the Act which
30 can be given effect without the invalid provision or application, and to this
31 end the provisions of this Act are declared to be severable.

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

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