

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 30 OF 1995
HOUSE BILL 1127

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, 1997; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "AN ACT FOR THE AUCTIONEERS LICENSING
15 BOARD APPROPRIATION FOR THE 1995-97
16 BIENNIUM."

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

20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Auctioneers Licensing Board for the 1995-97 biennium, the following maximum
22 number of regular employees whose salaries shall be governed by the provisions
23 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201
24 et seq.), or its successor, and all laws amendatory thereto. Provided,
25 however, that any position to which a specific maximum annual salary is set
26 out herein in dollars, shall be exempt from the provisions of said Uniform
27 Classification and Compensation Act. All persons occupying positions
28 authorized herein are hereby governed by the provisions of the Regular
29 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
30 successor.

| Item | Class | No. of | Maximum | Maximum Annual | |
|----------------|-----------------|------------------------------|--------------------|--------------------|-----------|
| | | Employees | Salary Rate | Fiscal Years | |
| No. | Code | Title | 1995-96 | 1996-97 | |
| 36 | (1) | 7555 AUCTIONEER BD SECRETARY | <u>1</u> | \$ 21,445 | \$ 21,981 |

1 MAX NO. OF EMPLOYEES 1

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3 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 4 Auctioneers Licensing Board, to be payable from cash funds as defined by
 5 Arkansas Code 19-4-801 of the Auctioneers Licensing Board, for personal
 6 services and operating expenses of the Auctioneers Licensing Board for the
 7 biennial period ending June 30, 1997, the following:

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| 9 ITEM | FISCAL YEARS | |
|---|--------------------|--------------------|
| 10 NO. | 1995-96 | 1996-97 |
| 11 (01) REGULAR SALARIES | \$ 20,918 | \$ 20,918 |
| 12 (02) PERSONAL SERVICES MATCHING | 6,415 | 6,415 |
| 13 (03) MAINTENANCE & GENERAL OPERATION | | |
| 14 (A) OPER. EXPENSE \$ 24,280 | \$ 25,098 | |
| 15 (B) CONF. & TRAVEL 1,000 | 1,000 | |
| 16 (C) PROF. FEES 8,946 | 8,946 | |
| 17 (D) CAPITAL OUTLAY 0 | 0 | |
| 18 (E) DATA PROCESSING 0 | 0 | |
| 19 TOTAL MAINT. & GEN. OPERATIONS | 34,226 | 35,044 |
| 20 (04) REFUNDS/REIMBURSEMENTS | <u>500</u> | <u>500</u> |
| 21 TOTAL AMOUNT APPROPRIATED | <u>\$ 62,059</u> | <u>\$ 62,877</u> |

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

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

35 (2) The Attorney General consents in writing to the employment of the

1 legal counsel to be retained by the agency.

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

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

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

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

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

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

SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995.

APPROVED: 1/23/95

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