

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 22 of 2003  
SENATE BILL 47

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 APPRAISER LICENSING AND CERTIFICATION BOARD FOR  
12 THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE ARKANSAS APPRAISER  
17 LICENSING AND CERTIFICATION BOARD  
18 APPROPRIATION FOR THE 2003-2005  
19 BIENNIUM.  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas  
26 Appraiser Licensing and Certification Board for the 2003-2005 biennium, the  
27 following maximum number of regular employees whose salaries shall be  
28 governed by the provisions of the Uniform Classification and Compensation Act  
29 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
30 thereto. Provided, however, that any position to which a specific maximum  
31 annual salary is set out herein in dollars, shall be exempt from the  
32 provisions of said Uniform Classification and Compensation Act. All persons  
33 occupying positions authorized herein are hereby governed by the provisions  
34 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
35 101), or its successor.  
36



Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate	Fiscal Years	
No.	Code	Title	2003-2004	2004-2005	
(1)	7533	EXEC DIR APPRAISERS BOARD	1	\$70,403	\$72,140
(2)	9306	AR APPRAISER BD CHIEF INVESTIGATOR	1	\$53,404	\$56,846
(3)	7534	ADMIN ASST APPRAISER BOARD	<u>1</u>	\$32,449	\$33,325
MAX. NO. OF EMPLOYEES			3		

SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Arkansas Appraiser Licensing and Certification Board, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Appraiser Licensing and Certification Board, for personal services and operating expenses of the Arkansas Appraiser Licensing and Certification Board for the biennial period ending June 30, 2005, the following:

ITEM NO.		2003-2004	2004-2005
(01)	REGULAR SALARIES	\$ 156,405	\$ 162,628
(02)	PERSONAL SERV MATCH	37,778	38,881
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	123,883	123,883
(B)	CONF. & TRAVEL	5,700	5,700
(C)	PROF. FEES	11,500	11,500
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	<u>500</u>	<u>500</u>
TOTAL AMOUNT APPROPRIATED		<u>\$ 335,766</u>	<u>\$ 343,092</u>

SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the requested legal services, or, if the Attorney General's Office shall determine that sufficient personnel are not available to provide the requested legal services, the Attorney General shall certify the same to the

1 agency and may authorize the agency to employ legal counsel and to expend  
 2 monies appropriated for Maintenance and General Operations therefor, if:

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

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

7 Such certification shall be required with respect to each instance of the  
 8 employment of special legal counsel, or shall be required annually with  
 9 respect to legal counsel employed on a retainer basis. A copy of such  
 10 certification shall be entered in the official minutes of the agency, and  
 11 shall be retained in the fiscal records of the agency for audit purposes.  
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13 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 14 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. APPRAISER  
 15 LICENSING AND CERTIFICATION CASH FUND. (A) For all appropriations as

16 provided in this Act, the agency disbursing officer shall monitor the level  
 17 of fund balances in relation to expenditures on a monthly basis. If any  
 18 proposed expenditures would cause the Appraiser Licensing and Certification  
 19 Cash Fund to decline below three hundred forty-seven thousand, eight hundred  
 20 seventy-two dollars (\$347,872.00) a fund balance to decline to less than  
 21 fifty percent (50%) of the balance available on July 1, 2001, the disbursing  
 22 officer shall immediately notify the executive head of the agency. Prior to  
 23 any obligations being made under these circumstances, the agency head shall  
 24 file written documentation with the Chief Fiscal Officer of the State  
 25 requesting approval of the expenditures. Such documentation shall provide  
 26 sufficient financial data to justify the expenditures and shall include the  
 27 following:

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

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

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

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

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17 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
18 that any funds disbursed under the authority of the appropriations contained  
19 in this act shall be in compliance with the stated reasons for which this act  
20 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
21 and Legislative Recommendations contained in the budget manuals prepared by  
22 the Department of Finance and Administration, letters, or summarized oral  
23 testimony in the official minutes of the Arkansas Legislative Council or  
24 Joint Budget Committee which relate to its passage and adoption.

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26 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
27 Assembly, that the Constitution of the State of Arkansas prohibits the  
28 appropriation of funds for more than a two (2) year period; that the  
29 effectiveness of this Act on July 1, 2003 is essential to the operation of  
30 the agency for which the appropriations in this Act are provided, and that in  
31 the event of an extension of the Regular Session, the delay in the effective  
32 date of this Act beyond July 1, 2003 could work irreparable harm upon the  
33 proper administration and provision of essential governmental programs.  
34 Therefore, an emergency is hereby declared to exist and this Act being  
35 necessary for the immediate preservation of the public peace, health and  
36 safety shall be in full force and effect from and after July 1, 2003.

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APPROVED: 01/28/2003