

**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.  
Act 82 of the Regular Session**

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 1149

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  
11 AUCTIONEERS LICENSING BOARD FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

16 AN ACT FOR THE AUCTIONEERS LICENSING  
17 BOARD APPROPRIATION FOR THE 2007-2009  
18 BIENNIUM.  
19  
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the  
25 Auctioneers Licensing Board for the 2007-2009 biennium, the following maximum  
26 number of regular employees whose salaries shall be governed by the  
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
29 Provided, however, that any position to which a specific maximum annual  
30 salary is set out herein in dollars, shall be exempt from the provisions of  
31 said Uniform Classification and Compensation Act. All persons occupying  
32 positions authorized herein are hereby governed by the provisions of the  
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
34 or its successor.  
35



Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2007-2008	2008-2009
(1)	7555	AUCTIONEER BD SECRETARY	<u>1</u>	\$36,622	\$37,354
		MAX. NO. OF EMPLOYEES	1		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Auctioneers Licensing Board for the 2007-2009 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to the Auctioneers Licensing Board, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Auctioneers Licensing Board, for personal services and operating expenses of the Auctioneers Licensing Board for the biennial period ending June 30, 2009, the following:

ITEM NO.		FISCAL YEARS	
		2007-2008	2008-2009
(01)	REGULAR SALARIES	\$ 41,172	\$ 41,904
(02)	EXTRA HELP	15,780	15,780
(03)	PERSONAL SERVICES MATCHING	13,181	13,329
(04)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSE	50,708	49,808
	(B) CONF. & TRAVEL	4,500	4,500
	(C) PROF. FEES	13,688	13,688
	(D) CAP. OUTLAY	0	0
	(E) DATA PROC.	0	0
(05)	REFUNDS/REIMBURSEMENTS	500	500
(06)	CLAIMS	<u>50,000</u>	<u>50,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 189,529</u>	<u>\$ 189,509</u>

1 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 2 this Act for Maintenance and General Operation shall be expended in payment  
 3 for services of attorneys, unless the agency shall first make a request in  
 4 writing to the Attorney General of the State of Arkansas to provide the  
 5 required legal services. The Attorney General's Office shall provide the  
 6 requested legal services, or, if the Attorney General's Office shall  
 7 determine that sufficient personnel are not available to provide the  
 8 requested legal services, the Attorney General shall certify the same to the  
 9 agency and may authorize the agency to employ legal counsel and to expend  
 10 monies appropriated for Maintenance and General Operations therefor, if:

- 11 (1) The Attorney General determines, and certifies in writing, that such  
 12 agency needs the advice or assistance of legal counsel, and
- 13 (2) The Attorney General consents in writing to the employment of the  
 14 legal counsel to be retained by the agency.

15 Such certification shall be required with respect to each instance of the  
 16 employment of special legal counsel, or shall be required annually with  
 17 respect to legal counsel employed on a retainer basis. A copy of such  
 18 certification shall be entered in the official minutes of the agency, and  
 19 shall be retained in the fiscal records of the agency for audit purposes.  
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21 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 22 by this act shall be limited to the appropriation for such agency and funds  
 23 made available by law for the support of such appropriations; and the  
 24 restrictions of the State Procurement Law, the General Accounting and  
 25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 26 Procedures and Restrictions Act, or their successors, and other fiscal  
 27 control laws of this State, where applicable, and regulations promulgated by  
 28 the Department of Finance and Administration, as authorized by law, shall be  
 29 strictly complied with in disbursement of said funds.  
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31 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 32 that any funds disbursed under the authority of the appropriations contained  
 33 in this act shall be in compliance with the stated reasons for which this act  
 34 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 35 and Legislative Recommendations contained in the budget manuals prepared by  
 36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or  
2 Joint Budget Committee which relate to its passage and adoption.

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4 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
5 Assembly, that the Constitution of the State of Arkansas prohibits the  
6 appropriation of funds for more than a two (2) year period; that the  
7 effectiveness of this Act on July 1, 2007 is essential to the operation of  
8 the agency for which the appropriations in this Act are provided, and that in  
9 the event of an extension of the Regular Session, the delay in the effective  
10 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
11 proper administration and provision of essential governmental programs.  
12 Therefore, an emergency is hereby declared to exist and this Act being  
13 necessary for the immediate preservation of the public peace, health and  
14 safety shall be in full force and effect from and after July 1, 2007.

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16 APPROVED: 2/9/2007  
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