

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 59 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1121

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 REAL ESTATE COMMISSION FOR THE FISCAL YEAR ENDING
12 JUNE 30, 2010; AND FOR OTHER PURPOSES.

Subtitle

16 AN ACT FOR THE ARKANSAS REAL ESTATE
17 COMMISSION APPROPRIATION FOR THE
18 2009-2010 FISCAL YEAR.

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
24 Real Estate Commission for the 2009-2010 fiscal year, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.

34
35 Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2009-2010
4	(1) U097U	AREC EXECUTIVE DIRECTOR	1	\$88,353
5	(2) G054C	AREC DEPUTY EXECUTIVE DIRECTOR	1	GRADE C126
6	(3) C004C	AREC LICENSING SUPERVISOR	1	GRADE C121
7	(4) X091C	AREC SR INVESTIGATOR	1	GRADE C118
8	(5) A082C	ACCOUNTANT II	1	GRADE C117
9	(6) X110C	AREC INVESTIGATOR	2	GRADE C117
10	(7) C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
11	(8) D079C	COMPUTER SUPPORT TECHNICIAN	1	GRADE C115
12	(9) X169C	AREC EXAMINER	1	GRADE C113
13	(10) C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
14	(11) C073C	ADMINISTRATIVE SPECIALIST II	2	GRADE C109
15	(12) C087C	ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE C106
16	MAX. NO. OF EMPLOYEES		15	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Real Estate Commission for the 2009-2010 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: four (4) 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. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Arkansas Real Estate Commission, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Real Estate Commission for the fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 603,433
(02) EXTRA HELP	16,000
(03) PERSONAL SERVICES MATCHING	189,618

1	(04) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	300,774
3	(B) CONF. & TRAVEL	13,662
4	(C) PROF. FEES	32,929
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	0
7	(05) REFUNDS/REIMBURSEMENTS	<u>10,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,166,416</u>

9

10 SECTION 4. APPROPRIATION - REAL ESTATE RECOVERY. There is hereby

11 appropriated, to the Arkansas Real Estate Commission, to be payable from the

12 cash fund deposited in the State Treasury as determined by the Chief Fiscal

13 Officer of the State, for the purpose of funding the Real Estate Recovery

14 Cash Fund of the Arkansas Real Estate Commission for the fiscal year ending

15 June 30, 2010, the following:

16		
17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2009-2010</u>
19	(01) DAMAGE PAYMENT	\$ 250,000
20	(02) EDUCATION	<u>102,500</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$ 352,500</u>

22

23 SECTION 5. 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

29 determine that sufficient personnel are not available to provide the

30 requested legal services, the Attorney General shall certify the same to the

31 agency and may authorize the agency to employ legal counsel and to expend

32 monies appropriated for Maintenance and General Operations therefor, if:

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

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

7 SECTION 6. 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 Procurement 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.
 16

17 SECTION 7. 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.
 25

26 SECTION 8. 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 one (1) year period; that the
 29 effectiveness of this Act on July 1, 2009 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, 2009 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, 2009.

1

APPROVED: 2/5/2009