

**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 611 of the Regular Session**

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1593

5 By: Representative Maloch
6
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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 FISCAL YEAR
12 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE AUCTIONEERS LICENSING
16 BOARD APPROPRIATION FOR THE 2009-2010
17 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Auctioneers Licensing Board for the 2009-2010 fiscal year, the following
25 maximum 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.
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Maximum Annual



Item Class	Maximum No. of Employees	Salary Rate Fiscal Year
(1) X089C AUCTIONEER BD SECRETARY	<u>1</u>	GRADE C118
MAX. NO. OF EMPLOYEES	1	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Auctioneers Licensing Board 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: 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. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Auctioneers Licensing Board, to be payable from the cash funds as defined by Arkansas Code 19-4-801, for personal services and operating expenses of the Auctioneers Licensing Board for the fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR
(01) REGULAR SALARIES	\$ 44,011
(02) EXTRA HELP	15,780
(03) PERSONAL SERVICES MATCHING	14,053
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	49,808
(B) CONF. & TRAVEL	4,500
(C) PROF. FEES	13,688
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) REFUNDS/REIMBURSEMENTS	500
(06) CLAIMS	<u>50,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 192,340</u>

SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in

1 this Act for Maintenance and General Operation shall be expended in payment
2 for services of attorneys, unless the agency shall first make a request in
3 writing to the Attorney General of the State of Arkansas to provide the
4 required legal services. The Attorney General's Office shall provide the
5 requested legal services, or, if the Attorney General's Office shall
6 determine that sufficient personnel are not available to provide the
7 requested legal services, the Attorney General shall certify the same to the
8 agency and may authorize the agency to employ legal counsel and to expend
9 monies appropriated for Maintenance and General Operations therefor, if:

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

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

1 Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
4 Assembly, that the Constitution of the State of Arkansas prohibits the
5 appropriation of funds for more than a one (1) year period; that the
6 effectiveness of this Act on July 1, 2009 is essential to the operation of
7 the agency for which the appropriations in this Act are provided, and that in
8 the event of an extension of the Regular Session, the delay in the effective
9 date of this Act beyond July 1, 2009 could work irreparable harm upon the
10 proper administration and provision of essential governmental programs.
11 Therefore, an emergency is hereby declared to exist and this Act being
12 necessary for the immediate preservation of the public peace, health and
13 safety shall be in full force and effect from and after July 1, 2009.

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16 **APPROVED: 3/26/2009**
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