

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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6

7

A Bill

HOUSE BILL

1109

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE ARKANSAS APPRAISER LICENSING
10 AND CERTIFICATION BOARD FOR THE BIENNIAL PERIOD ENDING
11 JUNE 30, 1997; AND FOR OTHER PURPOSES."

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Subtitle

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"AN ACT FOR THE ARKANSAS APPRAISER
LICENSING AND CERTIFICATION BOARD
APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

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

| Item | Class | No. of | Maximum Annual | |
|------|-------|--------|----------------|-------------|
| | | | Employees | Salary Rate |
| No. | Code | Title | 1995-96 | 1996-97 |

| | | | | |
|---|--|----------|-----------|----|
| 1 | (1) 7533 EXEC DIR APPRAISERS BOARD | 1 | \$ 54,302 | \$ |
| 2 | 55,659 | | | |
| 3 | (2) 7535 INVESTIGATOR/ASST APPRAISER BOARD | 1 | \$ 33,938 | \$ |
| 4 | 34,786 | | | |
| 5 | (3) 7534 ADMIN ASST APPRAISER BOARD | <u>1</u> | \$ 22,624 | \$ |
| 6 | 23,189 | | | |
| 7 | 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, 1997, the following:

| ITEM | FISCAL YEARS | |
|------------------------------|--------------|-------------------|
| NO. | 1995-96 | 1996-97 |
| (01) REGULAR SALARIES | \$ 101,581 | \$ |
| 101,581 | | |
| (02) PERSONAL SERV MATCHING | 25,473 | |
| 25,473 | | |
| (03) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE \$ | 93,100 | \$ 93,100 |
| (B) CONF. & TRVL. | 5,200 | 5,200 |
| (C) PROF. FEES | 15,000 | 15,000 |
| (D) CAP. OUTLAY | 3,500 | 3,500 |
| (E) DATA PROC. | <u>500</u> | <u>500</u> |
| TOTAL MAINT. & GEN. OPER. | | <u>117,300</u> |
| <u>117,300</u> | | |
| TOTAL AMOUNT APPROPRIATED | \$ | <u>244,354</u> \$ |
| <u>244,354</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

1 writing to the Attorney General of the State of Arkansas to provide the
2 required legal services. The Attorney General's Office shall provide the
3 requested legal services, or, if the Attorney General's Office shall
4 determine that sufficient personnel are not available to provide the
5 requested legal services, the Attorney General shall certify the same to the
6 agency and may authorize the agency to employ legal counsel and to expend
7 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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18 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
19 authorized by this Act shall be limited to the appropriation for such agency
20 and funds made available by law for the support of such appropriations; and
21 the restrictions of the State Purchasing Law, the General Accounting and
22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
23 Procedures and Restrictions Act, or their successors, and other fiscal
24 control laws of this State, where applicable, and regulations promulgated by
25 the Department of Finance and Administration, as authorized by law, shall be
26 strictly complied with in disbursement of said funds.

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

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

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

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.

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