

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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7

A Bill

HOUSE BILL

1127

For An Act To Be Entitled

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

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Subtitle

14 "AN ACT FOR THE AUCTIONEERS LICENSING
15 BOARD APPROPRIATION FOR THE 1995-97
16 BIENNIUM."

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

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20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Auctioneers Licensing Board for the 1995-97 biennium, the following maximum
22 number of regular employees whose salaries shall be governed by the
23 provisions of the Uniform Classification and Compensation Act (Arkansas Code
24 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
25 Provided, however, that any position to which a specific maximum annual
26 salary is set out herein in dollars, shall be exempt from the provisions of
27 said Uniform Classification and Compensation Act. All persons occupying
28 positions authorized herein are hereby governed by the provisions of the
29 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
30 or its successor.

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

1 (1) 7555 AUCTIONEER BD SECRETARY 1 \$ 21,445 \$
 2 21,981

3 MAX NO. OF EMPLOYEES 1
 4

5 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 6 Auctioneers Licensing Board, to be payable from cash funds as defined by
 7 Arkansas Code 19-4-801 of the Auctioneers Licensing Board, for personal
 8 services and operating expenses of the Auctioneers Licensing Board for the
 9 biennial period ending June 30, 1997, the following:

11 ITEM	FISCAL YEARS	
12 NO.	1995-96	1996-97
13 (01) REGULAR SALARIES	\$ 20,918	\$ 20,918
14 (02) PERSONAL SERVICES MATCHING	6,415	6,415
15 (03) MAINTENANCE & GENERAL OPERATION		
16 (A) OPER. EXPENSE \$ 24,280	\$ 25,098	
17 (B) CONF. & TRAVEL 1,000	1,000	
18 (C) PROF. FEES 8,946	8,946	
19 (D) CAPITAL OUTLAY 0	0	
20 (E) DATA PROCESSING <u>0</u>	<u>0</u>	
21 TOTAL MAINT. & GEN. OPERATIONS	34,226	35,044
22 (04) REFUNDS/REIMBURSEMENTS	<u>500</u>	<u>500</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$ 62,059</u>	<u>\$ 62,877</u>

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 25 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 26 this Act for Maintenance and General Operation shall be expended in payment
 27 for services of attorneys, unless the agency shall first make a request in
 28 writing to the Attorney General of the State of Arkansas to provide the
 29 required legal services. The Attorney General's Office shall provide the
 30 requested legal services, or, if the Attorney General's Office shall
 31 determine that sufficient personnel are not available to provide the
 32 requested legal services, the Attorney General shall certify the same to the
 33 agency and may authorize the agency to employ legal counsel and to expend
 34 monies appropriated for Maintenance and General Operations therefor, if:

35 (1) The Attorney General determines, and certifies in writing, that

1 such agency needs the advice or assistance of legal counsel, and

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

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

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

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

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

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33 SECTION 7. SEVERABILITY. If any provision of this Act or the
34 application thereof to any person or circumstance is held invalid, such
35 invalidity shall not affect other provisions or applications of the Act which

1 can be given effect without the invalid provision or application, and to this
2 end the provisions of this Act are declared to be severable.

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4 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
5 with this Act are hereby repealed.

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7 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
8 Eightieth General Assembly, that the Constitution of the State of Arkansas
9 prohibits the appropriation of funds for more than a two (2) year period;
10 that the effectiveness of this Act on July 1, 1995 is essential to the
11 operation of the agency for which the appropriations in this Act are
12 provided, and that in the event of an extension of the Regular Session, the
13 delay in the effective date of this Act beyond July 1, 1995 could work
14 irreparable harm upon the proper administration and provision of essential
15 governmental programs. Therefore, an emergency is hereby declared to exist
16 and this Act being necessary for the immediate preservation of the public
17 peace, health and safety shall be in full force and effect from and after
18 July 1, 1995.

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