

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

HOUSE BILL 1155

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

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9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE AUCTIONEERS LICENSING  
11 BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2001;  
12 AND FOR OTHER PURPOSES. "

## Subtitle

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15 "AN ACT FOR THE AUCTIONEERS LICENSING  
16 BOARD APPROPRIATION FOR THE 1999-2001  
17 BIENNIUM. "

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19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Auctioneers Licensing Board for the 1999-2001 biennium, the following maximum  
24 number of regular employees whose salaries shall be governed by the provisions  
25 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201  
26 et seq.), or its successor, and all laws amendatory thereto. Provided,  
27 however, that any position to which a specific maximum annual salary is set  
28 out herein in dollars, shall be exempt from the provisions of said Uniform  
29 Classification and Compensation Act. All persons occupying positions  
30 authorized herein are hereby governed by the provisions of the Regular  
31 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
32 successor.  
33

|            |         | Maximum Annual |
|------------|---------|----------------|
|            | Maximum | Salary Rate    |
| Item Class | No. of  | Fiscal Years   |

\*JAD025\*

| No. | Code | Title                   | Employees | 1999-2000 | 2000-2001 |
|-----|------|-------------------------|-----------|-----------|-----------|
| (1) | 7555 | AUCTIONEER BD SECRETARY | 1         | \$26,825  | \$27,576  |
|     |      | MAX. NO. OF EMPLOYEES   | 1         |           |           |

SECTION 2. APPROPRIATIONS. 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, 2001, the following:

| ITEM NO.                     | FISCAL YEARS     |                  |
|------------------------------|------------------|------------------|
|                              | 1999-2000        | 2000-2001        |
| (01) REGULAR SALARIES        | \$ 26,825        | \$ 27,576        |
| (02) PERSONAL SERV MATCHING  | 7,979            | 8,112            |
| (03) MAINT. & GEN. OPERATION |                  |                  |
| (A) OPER. EXPENSE            | 31,072           | 31,072           |
| (B) CONF. & TRAVEL           | 2,000            | 2,000            |
| (C) PROF. FEES               | 7,688            | 7,688            |
| (D) CAP. OUTLAY              | 0                | 0                |
| (E) DATA PROC.               | 0                | 0                |
| (04) REFUNDS/REIMBURSEMENTS  | 500              | 500              |
| TOTAL AMOUNT APPROPRIATED    | <u>\$ 76,064</u> | <u>\$ 76,948</u> |

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INVESTMENT OPTIONS. The agency, board or commission, to which appropriation in this Act is made, shall consider all possible options available in investing cash fund balances for which it is responsible. Such options investigated shall specifically include the provisions of the Treasury Management Trust Fund option beginning at Arkansas Code 19-3-602. In the event that the Treasury Management Trust Fund option is not selected, the agency, board, or commission shall report to the State Board of Finance the option selected and the additional benefits accruing by selecting a different option.

SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for

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

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

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

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

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SECTION 7. 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 8. 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 9. GENERAL REPEALER. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second 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, 1999 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, 1999 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, 1999.