

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

SENATE BILL 72

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

8  
9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE ARKANSAS APPRAISER  
11 LICENSING AND CERTIFICATION BOARD FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2001; AND FOR OTHER PURPOSES."

## Subtitle

13  
14  
15 "AN ACT FOR THE ARKANSAS APPRAISER  
16 LICENSING AND CERTIFICATION BOARD  
17 APPROPRIATION FOR THE 1999-2001  
18 BIENNIUM."  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas  
24 Appraiser Licensing and Certification Board for the 1999-2001 biennium, the  
25 following maximum number of regular employees whose salaries shall be governed  
26 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
27 Code §§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 salary  
29 is set out herein in dollars, shall be exempt from the provisions of said  
30 Uniform Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 successor.  
34

35  
36  
Maximum Annual  
Maximum Salary Rate

\*JAD022\*

| Item Class                          | No. of    | Fiscal Years        |
|-------------------------------------|-----------|---------------------|
| No. Code Title                      | Employees | 1999-2000 2000-2001 |
| (1) 7533 EXEC DIR APPRAISERS BOARD  | 1         | \$63,484 \$65,261   |
| (2) 7534 ADMIN ASST APPRAISER BOARD | 1         | \$29,199 \$30,016   |
| MAX. NO. OF EMPLOYEES               | 2         |                     |

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, 2001, the following:

| ITEM NO.                     | FISCAL YEARS      |                   |
|------------------------------|-------------------|-------------------|
|                              | 1999-2000         | 2000-2001         |
| (01) REGULAR SALARIES        | \$ 92,683         | \$ 95,277         |
| (02) PERSONAL SERV MATCHING  | 22,871            | 23,330            |
| (03) MAINT. & GEN. OPERATION |                   |                   |
| (A) OPER. EXPENSE            | 92,033            | 92,033            |
| (B) CONF. & TRAVEL           | 5,700             | 5,700             |
| (C) PROF. FEES               | 9,500             | 9,500             |
| (D) CAP. OUTLAY              | 2,500             | 2,500             |
| (E) DATA PROC.               | 500               | 500               |
| TOTAL AMOUNT APPROPRIATED    | <u>\$ 225,787</u> | <u>\$ 228,840</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.

1 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this  
 2 Act for Maintenance and General Operation shall be expended in payment for  
 3 services of attorneys, unless the agency shall first make a request in writing  
 4 to the Attorney General of the State of Arkansas to provide the required legal  
 5 services. The Attorney General's Office shall provide the requested legal  
 6 services, or, if the Attorney General's Office shall determine that sufficient  
 7 personnel are not available to provide the requested legal services, the  
 8 Attorney General shall certify the same to the agency and may authorize the  
 9 agency to employ legal counsel and to expend monies appropriated for  
 10 Maintenance and General Operations therefor, if:

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

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

20  
 21 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
 22 this act shall be limited to the appropriation for such agency and funds made  
 23 available by law for the support of such appropriations; and the restrictions  
 24 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
 25 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
 26 Restrictions Act, or their successors, and other fiscal control laws of this  
 27 State, where applicable, and regulations promulgated by the Department of  
 28 Finance and Administration, as authorized by law, shall be strictly complied  
 29 with in disbursement of said funds.

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 31 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 32 that any funds disbursed under the authority of the appropriations contained  
 33 in this act shall be in compliance with the stated reasons for which this act  
 34 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 35 and Legislative Recommendations contained in the budget manuals prepared by  
 36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or Joint  
2 Budget Committee which relate to its passage and adoption.

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4 SECTION 7. CODE. All provisions of this Act of a general and permanent  
5 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
6 Code Revision Commission shall incorporate the same in the Code.

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8 SECTION 8. SEVERABILITY. If any provision of this act or the application  
9 thereof to any person or circumstance is held invalid, such invalidity shall  
10 not affect other provisions or applications of the act which can be given  
11 effect without the invalid provision or application, and to this end the  
12 provisions of this act are declared to be severable.

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

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17 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
18 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
19 prohibits the appropriation of funds for more than a two (2) year period; that  
20 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
21 the agency for which the appropriations in this Act are provided, and that in  
22 the event of an extension of the Regular Session, the delay in the effective  
23 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
24 proper administration and provision of essential governmental programs.  
25 Therefore, an emergency is hereby declared to exist and this Act being  
26 necessary for the immediate preservation of the public peace, health and  
27 safety shall be in full force and effect from and after July 1, 1999.