

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.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007

# A Bill

HOUSE BILL 1111

4  
5 By: Joint Budget Committee  
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7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 REAL ESTATE COMMISSION FOR THE BIENNIAL PERIOD  
12 ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE ARKANSAS REAL ESTATE  
16 COMMISSION APPROPRIATION FOR THE  
17 2007-2009 BIENNIUM.  
18  
19  
20

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

23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for  
24 the Arkansas Real Estate Commission for the 2007-2009 biennium, 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.  
34

35 Maximum Annual  
36 Maximum Salary Rate



Item	Class		No. of	Fiscal Years	
	No.	Code Title		Employees	2007-2008
3	(1)	7103 REAL ESTATE EXECUTIVE DIRECTOR	1	\$82,497	\$84,146
4	(2)	036Z AREC DEPUTY EXECUTIVE DIRECTOR	1	GRADE	24
5	(3)	R045 AREC LICENSING SUPERVISOR	1	GRADE	23
6	(4)	R002 AREC SR REAL ESTATE INVESTIGATOR	1	GRADE	20
7	(5)	R037 AREC INVESTIGATOR	2	GRADE	19
8	(6)	A111 ACCOUNTANT	1	GRADE	18
9	(7)	R010 ADMINISTRATIVE ASSISTANT II	2	GRADE	17
10	(8)	R042 AREC EXAMINER	1	GRADE	15
11	(9)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE	14
12	(10)	K153 SECRETARY II	2	GRADE	13
13	(11)	K039 DOCUMENT EXAMINER II	<u>1</u>	GRADE	12
14		MAX. NO. OF EMPLOYEES	15		

15

16 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the  
 17 Arkansas Real Estate Commission for the 2007-2009 biennium, the following  
 18 maximum number of part-time or temporary employees, to be known as "Extra  
 19 Help", payable from funds appropriated herein for such purposes: four (4)  
 20 temporary or part-time employees, when needed, at rates of pay not to exceed  
 21 those provided in the Uniform Classification and Compensation Act, or its  
 22 successor, or this act for the appropriate classification.

23

24 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to  
 25 the Arkansas Real Estate Commission, to be payable from the cash fund  
 26 deposited in the State Treasury as determined by the Chief Fiscal Officer of  
 27 the State, for personal services and operating expenses of the Arkansas Real  
 28 Estate Commission for the biennial period ending June 30, 2009, the  
 29 following:

30

ITEM	FISCAL YEARS		
	NO.	2007-2008	2008-2009
33	(01) REGULAR SALARIES	\$ 563,360	\$ 574,426
34	(02) EXTRA HELP	16,000	16,000
35	(03) PERSONAL SERVICES MATCHING	177,086	179,326
36	(04) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	285,774	285,774
2	(B) CONF. & TRAVEL	13,662	13,662
3	(C) PROF. FEES	32,929	32,929
4	(D) CAP. OUTLAY	34,000	0
5	(E) DATA PROC.	15,000	15,000
6	(05) REFUNDS/REIMBURSEMENTS	<u>10,000</u>	<u>10,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,147,811</u>	<u>\$ 1,127,117</u>

8

9 SECTION 4. APPROPRIATION - REAL ESTATE RECOVERY. There is hereby

10 appropriated, to the Arkansas Real Estate Commission, to be payable from the

11 cash fund deposited in the State Treasury as determined by the Chief Fiscal

12 Officer of the State, for the purpose of funding the Real Estate Recovery

13 Cash Fund of the Arkansas Real Estate Commission for the biennial period

14 ending June 30, 2009, the following:

16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
18	(01) DAMAGE PAYMENT	\$ 250,000	\$ 250,000
19	(02) EDUCATION	<u>102,500</u>	<u>102,500</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$ 352,500</u>	<u>\$ 352,500</u>

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22 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in

23 this Act for Maintenance and General Operation shall be expended in payment

24 for services of attorneys, unless the agency shall first make a request in

25 writing to the Attorney General of the State of Arkansas to provide the

26 required legal services. The Attorney General's Office shall provide the

27 requested legal services, or, if the Attorney General's Office shall

28 determine that sufficient personnel are not available to provide the

29 requested legal services, the Attorney General shall certify the same to the

30 agency and may authorize the agency to employ legal counsel and to expend

31 monies appropriated for Maintenance and General Operations therefor, if:

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

36 Such certification shall be required with respect to each instance of the

1 employment of special legal counsel, or shall be required annually with  
 2 respect to legal counsel employed on a retainer basis. A copy of such  
 3 certification shall be entered in the official minutes of the agency, and  
 4 shall be retained in the fiscal records of the agency for audit purposes.

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 6 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 7 by this act shall be limited to the appropriation for such agency and funds  
 8 made available by law for the support of such appropriations; and the  
 9 restrictions of the State Procurement Law, the General Accounting and  
 10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 11 Procedures and Restrictions Act, or their successors, and other fiscal  
 12 control laws of this State, where applicable, and regulations promulgated by  
 13 the Department of Finance and Administration, as authorized by law, shall be  
 14 strictly complied with in disbursement of said funds.

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 16 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 17 that any funds disbursed under the authority of the appropriations contained  
 18 in this act shall be in compliance with the stated reasons for which this act  
 19 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 20 and Legislative Recommendations contained in the budget manuals prepared by  
 21 the Department of Finance and Administration, letters, or summarized oral  
 22 testimony in the official minutes of the Arkansas Legislative Council or  
 23 Joint Budget Committee which relate to its passage and adoption.

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 25 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
 26 Assembly, that the Constitution of the State of Arkansas prohibits the  
 27 appropriation of funds for more than a two (2) year period; that the  
 28 effectiveness of this Act on July 1, 2007 is essential to the operation of  
 29 the agency for which the appropriations in this Act are provided, and that in  
 30 the event of an extension of the Regular Session, the delay in the effective  
 31 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
 32 proper administration and provision of essential governmental programs.  
 33 Therefore, an emergency is hereby declared to exist and this Act being  
 34 necessary for the immediate preservation of the public peace, health and  
 35 safety shall be in full force and effect from and after July 1, 2007.