

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1026

4
5 By: Joint Budget Committee
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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 FISCAL YEAR ENDING
12 JUNE 30, 2011; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS REAL ESTATE
16 COMMISSION APPROPRIATION FOR THE
17 2010-2011 FISCAL YEAR.
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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 Real Estate Commission for the 2010-2011 fiscal year, the following maximum
25 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 Year
No.	Code Title	Employees	2010-2011
(1)	U097U AREC EXECUTIVE DIRECTOR	1	\$90,385
(2)	G054C AREC DEPUTY EXECUTIVE DIRECTOR	1	GRADE C126
(3)	C004C AREC LICENSING SUPERVISOR	1	GRADE C121
(4)	X091C AREC SR REAL ESTATE INVESTIGATOR	1	GRADE C118
(5)	A082C ACCOUNTANT II	1	GRADE C117
(6)	X110C AREC INVESTIGATOR	2	GRADE C117
(7)	C037C ADMINISTRATIVE ANALYST	1	GRADE C115
(8)	D079C COMPUTER SUPPORT TECHNICIAN	1	GRADE C115
(9)	X169C AREC EXAMINER	1	GRADE C113
(10)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE C112
(11)	C073C ADMINISTRATIVE SPECIALIST II	2	GRADE C109
(12)	C087C ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE C106
	MAX. NO. OF EMPLOYEES	15	

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17 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Real
 18 Estate Commission for the 2010-2011 fiscal year, the following maximum number
 19 of part-time or temporary employees, to be known as "Extra Help", payable
 20 from funds appropriated herein for such purposes: four (4) temporary or
 21 part-time employees, when needed, at rates of pay not to exceed those
 22 provided in the Uniform Classification and Compensation Act, or its
 23 successor, or this act for the appropriate classification.

24

25 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 26 the Arkansas Real Estate Commission, to be payable from the cash fund
 27 deposited in the State Treasury as determined by the Chief Fiscal Officer of
 28 the State, for personal services and operating expenses of the Arkansas Real
 29 Estate Commission for the fiscal year ending June 30, 2011, the following:

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ITEM	FISCAL YEAR
NO.	2010-2011
(01) REGULAR SALARIES	\$ 616,184
(02) EXTRA HELP	16,000
(03) PERSONAL SERVICES MATCHING	191,834
(04) MAINT. & GEN. OPERATION	

36

1	(A) OPER. EXPENSE	300,774
2	(B) CONF. & TRAVEL	13,662
3	(C) PROF. FEES	32,929
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	0
6	(05) REFUNDS/REIMBURSEMENTS	<u>10,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,181,383</u>

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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 fiscal year ending

14 June 30, 2011, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2010-2011</u>
18	(01) DAMAGE PAYMENT	\$ 250,000
19	(02) EDUCATION	<u>102,500</u>
20	TOTAL AMOUNT APPROPRIATED	<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 one (1) year period; that the
 28 effectiveness of this Act on July 1, 2010 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 legislative session, the delay in the
 31 effective date of this Act beyond July 1, 2010 could work irreparable harm
 32 upon the proper administration and provision of essential governmental
 33 programs. Therefore, an emergency is hereby declared to exist and this Act
 34 being necessary for the immediate preservation of the public peace, health
 35 and safety shall be in full force and effect from and after July 1, 2010.