

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

# A Bill

SENATE BILL 109

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
10 APPRAISER LICENSING AND CERTIFICATION BOARD FOR  
11 THE FISCAL YEAR ENDING JUNE 30, 2013; AND FOR  
12 OTHER PURPOSES.  
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## Subtitle

15 AN ACT FOR THE ARKANSAS APPRAISER LICENSING  
16 AND CERTIFICATION BOARD APPROPRIATION FOR  
17 THE 2012-2013 FISCAL YEAR.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Arkansas Appraiser Licensing and Certification Board for the 2012-2013 fiscal  
25 year, the following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
31	(1) N146N	BD. OF APPRAISER EXECUTIVE DIRECTOR	1	GRADE N902
32	(2) X030C	BD. OF APPRAISER CHIEF INVESTIGATOR	1	GRADE C123
33	(3) C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
34	(4) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
35	MAX. NO. OF EMPLOYEES		4	

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SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Arkansas Appraiser Licensing and Certification Board, to be payable from the 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 fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$244,332
(02) PERSONAL SERVICES MATCHING	66,552
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	147,078
(B) CONF. & TRAVEL	9,700
(C) PROF. FEES	11,500
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$479,162</u></u>

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

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

Such certification shall be required with respect to each instance of the employment of special legal counsel, or shall be required annually with respect to legal counsel employed on a retainer basis. A copy of such

1 certification shall be entered in the official minutes of the agency, and  
2 shall be retained in the fiscal records of the agency for audit purposes.

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

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

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23 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
24 Assembly, that the Constitution of the State of Arkansas prohibits the  
25 appropriation of funds for more than a one (1) year period; that the  
26 effectiveness of this Act on July 1, 2012 is essential to the operation of  
27 the agency for which the appropriations in this Act are provided, and that in  
28 the event of an extension of the legislative session, the delay in the  
29 effective date of this Act beyond July 1, 2012 could work irreparable harm  
30 upon the proper administration and provision of essential governmental  
31 programs. Therefore, an emergency is hereby declared to exist and this Act  
32 being necessary for the immediate preservation of the public peace, health  
33 and safety shall be in full force and effect from and after July 1, 2012.