

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 83rd General Assembly
3 Regular Session, 2001

A Bill

Act 18 of 2001
SENATE BILL 131

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

8
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE POST PRISON TRANSFER
11 BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003;
12 AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE POST PRISON TRANSFER
16 BOARD APPROPRIATION FOR THE 2001-2003
17 BIENNIAL PERIOD.
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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 Post
24 Prison Transfer Board for the 2001-2003 biennium, the following maximum number
25 of regular employees whose salaries shall be governed by the provisions of the
26 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform Classification
30 and Compensation Act. All persons occupying positions authorized herein are
31 hereby governed by the provisions of the Regular Salaries Procedures and
32 Restrictions Act (Arkansas Code §21-5-101), or its successor.
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			Maximum Annual
		Maximum	Salary Rate
Item Class	No. of		Fiscal Years

No.	Code	Title	Employees	2001-2002	2002-2003
(1)	9924	PPTB - BOARD CHAIRMAN	1	\$76,592	\$78,583
(2)	9927	PPTB - BOARD MEMBER	5	\$68,529	\$70,310
(3)	9934	PPTB - HEARING EXAMINER	3	\$66,796	\$68,532
(4)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
(5)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
(6)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
(7)	K153	SECRETARY II	4	GRADE 13	
		MAX. NO. OF EMPLOYEES	16		

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11 SECTION 2. APPROPRIATION. There is hereby appropriated, to the Post Prison
 12 Transfer Board, to be payable from the State General Services Fund Account,
 13 for personal services and operating expenses of the Post Prison Transfer Board
 14 for the biennial period ending June 30, 2003, the following:

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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 777,865	\$ 798,083
(02) PERSONAL SERV MATCHING	190,165	194,552
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	109,547	109,547
(B) CONF. & TRAVEL	2,000	2,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,079,577</u>	<u>\$ 1,104,182</u>

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28 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 29 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ASSISTANCE
 30 PROVISION. The Department of Correction and the Department of Community
 31 Punishment may provide services, furnishings, equipment and office space to
 32 assist the Post Prison Transfer Board in fulfilling the purposes for which the
 33 Board was created by law.

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35 The provisions of this section shall be in effect only from July 1, 2001
 36 through June 30, 2003.

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SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING TRANSFER. The Chairman of the Post Prison Transfer Board is hereby authorized to request a fund transfer from the Department of Correction Inmate Care and Custody Fund Account to the State General Services Fund Account for the Regular Salaries and Personal Services Matching for a Post Prison Transfer Board - Hearing Examiner. Such transfers shall require the prior approval of the Chief Fiscal Officer of the State and shall not exceed ~~\$75,480~~ \$81,086 in either fiscal year of the ~~1999-2001~~ 2001-2003 biennium.

The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.

SECTION 5. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency.

Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent depletion of the fund balance.

(B) The Chief Fiscal Officer of the State shall review the request and

1 approve or disapprove all or any part of the request , after having sought
2 prior review by the Legislative Council.

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

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

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23 SECTION 8. 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 two (2) year period; that the
26 effectiveness of this Act on July 1, 2001 is essential to the operation of the
27 agency for which the appropriations in this Act are provided, and that in the
28 event of an extension of the Regular Session, the delay in the effective date
29 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
30 administration and provision of essential governmental programs. Therefore, an
31 emergency is hereby declared to exist and this Act being necessary for the
32 immediate preservation of the public peace, health and safety shall be in full
33 force and effect from and after July 1, 2001.

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36 APPROVED: 1/29/2001