

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**
5
6

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE SECURITIES DEPARTMENT FOR
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER
11 PURPOSES."
12

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
14

15 SECTION 1. REGULAR SALARIES. There is hereby established for the State
16 Securities Department for the 1991-93 biennium, the following maximum number
17 of regular employees whose salaries shall be governed by the provisions of the
18 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
19 seq.), or its successor, and all laws amendatory thereto. Provided, however,
20 that any position to which a specific maximum annual salary is set out herein
21 in dollars, shall be exempt from the provisions of said Uniform Classification
22 and Compensation Act. All persons occupying positions authorized herein are
23 hereby governed by the provisions of the Regular Salaries Procedures and
24 Restrictions Act (Arkansas Code §21-5-101), or its successor.
25

		Maximum Annual		
		Maximum	Salary Rate	
		No. of	Fiscal Years	
Item	Class			
29	No. Code Title	Employees	1991-92	1992-93
30	(1) 9921 SECURITIES COMMISSIONER	1	\$ 53,283	\$ 55,947
31	(2) 696Z SECURITIES DEPUTY COMMISSIONER	1	GRADE 26	
32	R038 ATTORNEY SUPERVISOR	1		
33	(3) R011 SECURITIES ASSISTANT COMMISSIONER	2	GRADE 25	
34	R170 ATTORNEY SPECIALIST	3		
35	(4) 070Z SECURITIES CHIEF EXAMINER	1	GRADE 23	

1	(5) A044 SECURITIES EXAMINER SUPERVISOR	3	GRADE 22
2	(6) A090 SECURITIES EXAMINER	10	GRADE 20
3	(7) A111 ACCOUNTANT	1	GRADE 18
4	(8) R010 ADMINISTRATIVE ASSISTANT II	2	GRADE 17
5	(9) K011 ADMIN SUPPORT SUPERVISOR	1	GRADE 15
6	R009 ADMINISTRATIVE ASSISTANT I	1	
7	(10) K117 MEDICAL OR LEGAL SECRETARY	2	GRADE 14
8	(11) K039 DOCUMENT EXAMINER II	2	GRADE 12
9	(12) K155 SECRETARY I	1	GRADE 11
10	(13) K075 MICRO-PHOTOGRAPHER I	<u>1</u>	GRADE 07
11	MAX NO. OF EMPLOYEES	33	

12

13 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
 14 Securities Department for the 1991-93 biennium, the following maximum number
 15 of part-time or temporary employees, to be known as "Extra Help", payable from
 16 funds appropriated herein for such purposes: two (2) temporary or part-time
 17 employees, when needed, at rates of pay not to exceed those provided in the
 18 Uniform Classification and Compensation Act, or its successor, or this act for
 19 the appropriate classification.

20

21 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State
 22 Securities Department, to be payable from the State General Services Fund
 23 Account, for personal services and operating expenses of the State Securities
 24 Department for the biennial period ending June 30, 1993, the following:

25

26	ITEM	FISCAL YEARS	
27	NO.	1991-92	1992-93
28	(01) REGULAR SALARIES	\$ 912,453	\$ 958,612
29	(02) EXTRA HELP	12,000	12,000
30	(03) PERSONAL SERVICES MATCHING	213,781	225,952
31	(04) MAINTENANCE & GENERAL OPERATIONS		
32	(A) OPER. EXPENSES	\$ 245,000	\$ 245,000
33	(B) CONF. & TRAVEL	5,100	5,100
34	(C) PROF. FEES	24,484	24,484
35	(D) CAPITAL OUTLAY	5,000	5,000

1	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
2	TOTAL MAINT. & GEN. OPERATIONS	279,584	279,584
3			
4	(05) CONTINGENCY	200,000	200,000
5	(06) EXAMINATION TRAVEL	<u>10,836</u>	<u>10,836</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$1,628,654</u>	<u>\$1,686,984</u>

7

8 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the State

9 Securities Department, to be payable from cash funds as defined by Arkansas

10 Code 19-4-801 of the State Securities Department, for refunds for

11 overpayments/transfers to the State Treasury for the biennial period ending

12 ~~June 30, 1993, the following:~~

13			
14	ITEM	FISCAL YEARS	
15	NO.	1991-92	1992-93
16	(01) REFUNDS/TRANSFERS TO TREASURY	<u>\$ 4,500,000</u>	<u>\$ 4,500,000</u>

17

18 SECTION 5. All revenues received from administrative fines shall be

19 deposited into the fund account from which the Arkansas Securities Department

20 receives its maintenance and support as special revenues. Such revenues

21 received, up to a maximum of \$200,000, in each fiscal year, may be used for

22 rental of hearing rooms and to contract for legal, accounting, and other

23 appropriate assistance in addition to that available from the Department's

24 regular staff in specific cases and situations as deemed necessary by the

25 Securities Commissioner.

26

27 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

28 authorized by this Act shall be limited to the appropriation for such agency

29 and funds made available by law for the support of such appropriations; and

30 the restrictions of the State Purchasing Law, the General Accounting and

31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

32 Procedures and Restrictions Act, or their successors, and other fiscal control

33 laws of this State, where applicable, and regulations promulgated by the

34 Department of Finance and Administration, as authorized by law, shall be

35 strictly complied with in disbursement of said funds.

1

2 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
3 Assembly that any funds disbursed under the authority of the appropriations
4 contained in this Act shall be in compliance with the stated reasons for which
5 this Act was adopted, as evidenced by the Agency Requests, Executive
6 Recommendations and Legislative Recommendations contained in the budget
7 manuals prepared by the Department of Finance and Administration, letters, or
8 summarized oral testimony in the official minutes of the Arkansas Legislative
9 Council or Joint Budget Committee which relate to its passage and adoption.

10

11 SECTION 8. CODE. All provisions of this Act of a general and permanent
12 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
13 Code Revision Commission shall incorporate the same in the Code.

14

15 SECTION 9. SEVERABILITY. If any provision of this Act or the
16 application thereof to any person or circumstance is held invalid, such
17 invalidity shall not affect other provisions or applications of the Act which
18 can be given effect without the invalid provision or application, and to this
19 end the provisions of this Act are declared to be severable.

20

21 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict
22 with this Act are hereby repealed.

23

24 SECTION 11. HEALTH PREMIUMS. The State Securities Department shall
25 not, during the 1992-93 fiscal year, spend more for health insurance per
26 employee than the amount being contributed to the State Employees Health
27 Insurance Program.

28

29 SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the
30 Seventy-Eighth General Assembly, that the Constitution of the State of
31 Arkansas prohibits the appropriation of funds for more than a two (2) year
32 period; that the effectiveness of this Act on July 1, 1991 is essential to the
33 operation of the agency for which the appropriations in this Act are provided,
34 and that in the event of an extension of the Regular Session, the delay in the
35 effective date of this Act beyond July 1, 1991 could work irreparable harm

1 upon the proper administration and provision of essential governmental
2 programs. Therefore, an emergency is hereby declared to exist and this Act
3 being necessary for the immediate preservation of the public peace, health and
4 safety shall be in full force and effect from and after July 1, 1991.