

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

A Bill

SENATE BILL 189

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 FINANCE AND ADMINISTRATION TO PROVIDE FOR ANNUAL CAREER
10 RECOGNITION PAYMENTS TO CLASSIFIED EMPLOYEES OF STATE
11 AGENCIES, FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1993;
12 AND FOR OTHER PURPOSES."

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

16 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
17 Department of Finance and Administration - Disbursing Officer, to be payable
18 from the Merit Adjustment Fund, for the purpose of providing annual career
19 service recognition payments to classified employees of state agencies for the
20 biennial period ending June 30, 1993, the following:

22 ITEM	FISCAL YEARS	
23 NO.	1991-92	1992-93
24 (01) CAREER RECOGNITION PAYMENTS	<u>\$ 3,739,758</u>	<u>\$ 4,138,803</u>

26 SECTION 2. APPROPRIATION TRANSFER PROCEDURES. In the event that
27 sufficient appropriation has not been provided for the payment of Career
28 Recognition Payments for any state agency or institution due to the enactment
29 of this Act or any other act approved by the Seventy-Eighth General Assembly
30 which raises the compensation level of state employees, the agency or
31 institution may request a transfer from the appropriation provided herein from
32 the Chief Fiscal Officer of the State. Such request shall clearly state the
33 amount required, the fund or fund account from which the employees are
34 currently being paid, and such other information as may be required by the
35 Chief Fiscal Officer of the State that he deems necessary to make a decision

1 regarding the request. Upon the approval of the Chief Fiscal Officer of the
 2 State or upon processing the request for elected Constitutional Officers and
 3 their employees by the Chief Fiscal Officer of the State, the State Auditor
 4 shall be notified as to the amount and the purposes for which said
 5 appropriation is to be made. The appropriation shall then be added to the
 6 proper account on the books of the Department of Finance and Administration
 7 and the State Auditor payable from the fund or fund account from which the
 8 employees of the agency or institution are authorized to be paid by law. Such
 9 appropriation transfer shall be limited to Regular Salaries or Personal
 10 Services Matching or both.

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12 SECTION 3. Funding for the appropriation transfers authorized by this
 13 Act, or for any part thereof, for those state agencies which are supported in
 14 whole or in part from general revenues, shall, if required, be provided by a
 15 transfer from the Merit Adjustment Fund to the proper fund or fund account and
 16 in such amounts as determined by the Chief Fiscal Officer of the State. The
 17 State Agencies shall, in addition to the funds provided in this Act for Annual
 18 Career Service Recognition Payments from the Merit Adjustment Fund, make
 19 available any funding generated from agency salary savings for such purposes
 20 from the funds or fund accounts as provided by law.

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22 SECTION 4. *APPROPRIATIONS - STATE TREASURY FUNDS.* There is hereby
 23 appropriated, to the Department of Finance and Administration, to be payable
 24 from various State Treasury funds, fund accounts and accounts, for the purpose
 25 of providing various state agencies with supplemental appropriations for the
 26 payment of personal services for the biennial period ending June 30, 1993, the
 27 following:

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ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(1) PERSONAL SERVICES	<u>\$3,000,000</u>	<u>\$6,000,000</u>

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33 SECTION 5. *APPROPRIATIONS - CASH FUNDS.* There is hereby appropriated, to
 34 the Department of Finance and Administration, to be payable from various state
 35 agencies' and institutions' cash funds held in financial institutions, for the
 36 purpose of providing various state agencies with supplemental appropriations

1 for the payment of personal services for the biennial period ending June 30,
 2 1993, the following:

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4 ~~ITEM~~ ~~FISCAL YEARS~~

5 NO.	1991-92	1992-93
6 (1) PERSONAL SERVICES	<u>\$5,000,000</u>	<u>\$10,000,000</u>

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8 SECTION 6. APPROPRIATION TRANSFER PROCEDURES. In the event that the
 9 General Assembly has not provided sufficient appropriation for the payment of
 10 Personal Services for any state agency or institution due to the enactment of
 11 this Act or any other Act approved by the Seventy-Eighth General Assembly
 12 which raises the compensation level or required benefit matching costs of
 13 state employees, the agency or institution may request a transfer from the
 14 appropriation provided for herein from the Chief Fiscal Officer of the State.
 15 Such request shall clearly state the amount required, the fund or fund
 16 account from which the employees are currently being paid, and such other
 17 information as may be required by the Chief Fiscal Officer of the State that
 18 he deems necessary to make a decision regarding the request. Upon the
 19 approval of the Chief Fiscal Officer of the State or upon processing the
 20 request for elected Constitutional Officers and their employees by the Chief
 21 Fiscal Officer of the State, the State Auditor shall be notified as to the
 22 amount and the purposes for which said appropriation is to be made. The
 23 appropriation shall then be added to the proper account on the books of the
 24 Department of Finance and Administration and the State Auditor payable from
 25 the fund or fund account from which the employees of the state agency or
 26 institution are authorized to be paid by law. Such appropriation transfers
 27 shall be limited to Regular Salaries or Personal Services Matching or both.

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29 SECTION 7. FUNDING TRANSFER. Funding of payplan increases provided by
 30 the Seventy-Eighth General Assembly in each fiscal year of the biennium and
 31 funding for the appropriation transfers authorized by this Act, or for any
 32 part thereof, for those state agencies which are supported in whole or in part
 33 from general revenues, excluding Institutions of Higher Education, shall, if
 34 required, be provided for by a transfer from the Merit Adjustment Fund to the
 35 proper fund or fund account and in such amounts as may be determined by the

1 *Chief Fiscal Officer of the State. The State Agencies shall, in addition to*
2 *the funds provided in this section for Personal Services from the Merit*
3 *Adjustment Fund, make available any funding generated from agency salary*
4 *savings for such purposes as provided for herein, from the funds or fund*
5 *accounts as prescribed by law. In no event shall the transfers authorized by*
6 *this section exceed the sum of \$8,049,868 for the fiscal year ending June 30,*
7 *1992 and the sum of \$14,190,181 for the fiscal year ending June 30, 1993.*

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

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

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28 SECTION 10. CODE. All provisions of this Act of a general and permanent
29 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
30 Code Revision Commission shall incorporate the same in the Code.

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32 SECTION 11. SEVERABILITY. If any provision of this Act or the
33 application thereof to any person or circumstance is held invalid, such
34 invalidity shall not affect other provisions or applications of the Act which
35 can be given effect without the invalid provision or application, and to this

1 end the provisions of this Act are declared to be severable.

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3 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict
4 with this Act are hereby repealed.

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6 SECTION 13. HEALTH PREMIUMS. The Department of Finance and
7 Administration - Disbursing Officer shall not, during the 1992-93 fiscal year,
8 spend more for health insurance per employee than the amount being contributed
9 to the State Employees Health Insurance Program.

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11 SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the
12 Seventy-Eighth General Assembly, that the Constitution of the State of
13 Arkansas prohibits the appropriation of funds for more than a two (2) year
14 period; that the effectiveness of this Act on July 1, 1991 is essential to the
15 operation of the agency for which the appropriations in this Act are provided,
16 and that in the event of an extension of the Regular Session, the delay in the
17 effective date of this Act beyond July 1, 1991 could work irreparable harm
18 upon the proper administration and provision of essential governmental
19 programs. Therefore, an emergency is hereby declared to exist and this Act
20 being necessary for the immediate preservation of the public peace, health and
21 safety shall be in full force and effect from and after July 1, 1991.

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23 */s/Joint Budget Committee*

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