

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# 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, 1995; AND FOR OTHER  
11 PURPOSES."

## Subtitle

14 "AN ACT FOR THE STATE SECURITIES DEPARTMENT  
15 APPROPRIATION."

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

19 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
20 Securities Department for the 1993-95 biennium, the following maximum number  
21 of regular employees whose salaries shall be governed by the provisions of the  
22 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
23 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
24 that any position to which a specific maximum annual salary is set out herein  
25 in dollars, shall be exempt from the provisions of said Uniform Classification  
26 and Compensation Act. All persons occupying positions authorized herein are  
27 hereby governed by the provisions of the Regular Salaries Procedures and  
28 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	No. of	Maximum Annual		
			Maximum	Salary Rate	
No.	Code	Title	Employees	Fiscal Years	
34	(1) 9921	SECURITIES COMMISSIONER	1	\$ 58,491	\$ 60,538
35	(2) 696Z	SECURITIES DEPUTY COMMISSIONER	1	GRADE 26	

1	R038 ATTORNEY SUPERVISOR	1	
2	(3) R011 SECURITIES ASSISTANT COMMISSIONER	2	GRADE 25
3	R170 ATTORNEY SPECIALIST	3	
4	(4) 070Z SECURITIES CHIEF EXAMINER	1	GRADE 23
5	(5) A044 SECURITIES EXAMINER SUPERVISOR	3	GRADE 22
6	(6) A090 SECURITIES EXAMINER	10	GRADE 20
7	(7) A111 ACCOUNTANT	1	GRADE 18
8	(8) R010 ADMINISTRATIVE ASSISTANT II	2	GRADE 17
9	(9) K011 ADMIN SUPPORT SUPERVISOR	1	GRADE 15
10	R009 ADMINISTRATIVE ASSISTANT I	1	
11	(10) K117 MEDICAL OR LEGAL SECRETARY	2	GRADE 14
12	(11) K039 DOCUMENT EXAMINER II	2	GRADE 12
13	(12) K155 SECRETARY I	1	GRADE 11
14	(13) K075 MICRO-PHOTOGRAPHER I	<u>1</u>	GRADE 07
15	MAX NO. OF EMPLOYEES	33	

18 SECTION 2. EXTRA HELP. There is hereby authorized, for the State  
19 Securities Department for the 1993-95 biennium, the following maximum number  
20 of part-time or temporary employees, to be known as "Extra Help", payable from  
21 funds appropriated herein for such purposes: two (2) temporary or part-time  
22 employees, when needed, at rates of pay not to exceed those provided in the  
23 Uniform Classification and Compensation Act, or its successor, or this act for  
24 the appropriate classification.

26 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State  
27 Securities Department, to be payable from the State General Services Fund  
28 Account, for personal services and operating expenses of the State Securities  
29 Department for the biennial period ending June 30, 1995, the following:

31	<u>ITEM</u>	<u>FISCAL YEARS</u>	
32	NO.	1993-94	1994-95
33	(01) REGULAR SALARIES	\$ 988,542	\$ 1,023,380
34	(02) EXTRA HELP	12,000	12,000
35	(03) PERSONAL SERV MATCHING	253,208	259,445

1	(04)	MAINT. & GEN. OPERATION		
2		(A) OPER. EXPENSE \$	225,835	\$ 225,835
3		(B) CONF. & TRVL.	5,100	5,100
4		(C) PROF. FEES	24,484	24,484
5		(D) CAP. OUTLAY	75,000	25,000
6		(E) DATA PROC.	<u>0</u>	<u>0</u>
7		TOTAL MAINT. & GEN. OPER.		330,419 280,419
8	(05)	CONTINGENCY		200,000 200,000
9	(06)	EXAMINATION TRAVEL		<u>5,836</u> <u>5,836</u>
10		TOTAL AMOUNT APPROPRIATED		<u>\$ 1,790,005</u> <u>\$ 1,781,080</u>

11

12 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the State  
13 Securities Department, to be payable from cash funds as defined by Arkansas  
14 Code 19-4-801 of the State Securities Department, for refunds of over payments  
15 and transfers to the State Treasury for the biennial period ending June 30,  
16 1995, the following:

17

---

18	ITEM	FISCAL YEARS	
19	NO.	1993-94	1994-95
20	(01) REFUNDS/TRANSFERS TO TREASURY	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>

21

22 SECTION 5. All revenues received from administrative fines shall be  
23 deposited into the fund account from which the Arkansas Securities Department  
24 receives its maintenance and support as special revenues. Such revenues  
25 received, up to a maximum of \$200,000, in each fiscal year, may be used for  
26 rental of hearing rooms and to contract for legal, accounting, and other  
27 appropriate assistance in addition to that available from the Department's  
28 regular staff in specific cases and situations as deemed necessary by the  
29 Securities Commissioner.

30

31

32 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
33 authorized by this Act shall be limited to the appropriation for such agency  
34 and funds made available by law for the support of such appropriations; and  
35 the restrictions of the State Purchasing Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
2 Procedures and Restrictions Act, or their successors, and other fiscal control  
3 laws of this State, where applicable, and regulations promulgated by the  
4 Department of Finance and Administration, as authorized by law, shall be  
5 strictly complied with in disbursement of said funds.

6

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

15

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

19

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

25

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

28

29         SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
30 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
31 prohibits the appropriation of funds for more than a two (2) year period; that  
32 the effectiveness of this Act on July 1, 1993 is essential to the operation of  
33 the agency for which the appropriations in this Act are provided, and that in  
34 the event of an extension of the Regular Session, the delay in the effective  
35 date of this Act beyond July 1, 1993 could work irreparable harm upon the

1 proper administration and provision of essential governmental programs.  
2 Therefore, an emergency is hereby declared to exist and this Act being  
3 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, 1993.