

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

# A Bill ACT 130 OF 1991

## HOUSE BILL 1431

### For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES, PAYMENT OF CLAIMS FOR UNCLAIMED STATE  
10 PROPERTY, AND PAYMENT OF CLAIMS FOR ABANDONED MINERAL  
11 PROCEEDS BY THE AUDITOR OF STATE FOR THE BIENNIAL PERIOD  
12 ENDING JUNE 30, 1993; AND FOR OTHER PURPOSES."

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

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

Item	Class		Maximum	Maximum Annual
			No. of	Salary Rate
			Employees	Fiscal Years
<del>No.</del>	<del>Code</del>	<del>Title</del>		<del>1991-92</del> <del>1992-93</del>
32	(1)	Administrator	1	37,260 39,123
33	(2)	Chief Auditor	1	33,542 35,219
34	(3)	Audit Technician	<u>3</u>	28,917 30,363
35		MAXIMUM NO. OF EMPLOYEES	5	

1 SECTION 2. APPROPRIATIONS - OPERATIONS. There is hereby appropriated,  
2 to the Auditor of State, to be payable from the State Central Services Fund,  
3 for personal services and operating expenses of the Auditor of State -  
4 Unclaimed Property Program for the biennial period ending June 30, 1993, the  
5 following:

7 ITEM	FISCAL YEARS	
8 <del>NO.</del>	<del>1991-92</del>	<del>1992-93</del>
9 (01) REGULAR SALARIES	\$ 157,553	\$ 165,430
10 (02) PERSONAL SERVICES MATCHING	35,748	37,751
11 (03) MAINTENANCE & GENERAL OPERATIONS		
12 (A) OPER. EXPENSES \$ 110,000	\$ 110,000	
13 (B) CONF. & TRAVEL 10,000	10,000	
14 (C) PROF. FEES 10,000	10,000	
15 (D) CAPITAL OUTLAY 35,000	35,000	
16 (E) DATA PROCESSING 0	0	
17 TOTAL MAINT. & GEN. OPER.	<u>165,000</u>	<u>165,000</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$ 358,301</u>	<u>\$ 368,181</u>

20 SECTION 3. APPROPRIATIONS - PAYMENT OF UNCLAIMED PROPERTY CLAIMS. There  
21 is hereby appropriated, to the Auditor of State, to be payable from cash  
22 funds, as defined by Arkansas Code 19-4-801, for payment of claims by the  
23 Auditor of State - Unclaimed Property Program for the biennial period ending  
24 June 30, 1993, the following:

26 ITEM	FISCAL YEARS	
27 <del>NO.</del>	<del>1991-92</del>	<del>1992-93</del>
28 (01) PAYMENT OF CLAIMS	<u>\$1,000,000</u>	<u>\$1,000,000</u>

30 SECTION 4. APPROPRIATIONS - PAYMENT OF UNCLAIMED MINERAL PROCEEDS.  
31 There is hereby appropriated, to the Auditor of State, to be payable from cash  
32 funds, as defined by Arkansas Code 19-4-801, for payment of claims for  
33 abandoned mineral proceeds by the Auditor of State for the biennial period  
34 ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) PAYMENT OF CLAIMS	<u>\$ 200,000</u>	<u>\$ 200,000</u>

SECTION 5. Arkansas Code 18-28-218(a) is hereby amended to read as follows:

"(a) All funds received under this subchapter, including the proceeds from the sale of abandoned property under §18-28-217 shall be deposited by the Auditor of State in a special trust fund to be known as the "Unclaimed Property Proceeds Trust Fund", from which he shall make prompt payment of claims duly allowed by him as hereinafter provided. Such funds shall be deposited in accounts in one (1) or more financial institutions authorized to do business in this State to be administered in accordance with the laws of this State pertaining to the appropriation, administration, and expenditure of cash funds. Before making the deposit, he shall record the name and last known address of each person appearing from the holder's reports to be entitled to the abandoned property, and the name and last known address of each insured or annuitant and, with respect to each policy or contract listed in the report of a life insurance corporation, its number, the name of the corporation and the amount due. The record shall be available for public inspection at all reasonable business hours."

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

SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which

1 this Act was adopted, as evidenced by the Agency Requests, Executive  
2 Recommendations and Legislative Recommendations contained in the budget  
3 manuals prepared by the Department of Finance and Administration, letters, or  
4 summarized oral testimony in the official minutes of the Arkansas Legislative  
5 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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20 SECTION 11. HEALTH PREMIUMS. The Auditor of State shall not, during  
21 the 1992-93 fiscal year, spend more for health insurance per employee than the  
22 amount being contributed to the State Employees Health Insurance Program.

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

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APPROVED: 2-12-91