

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

# A Bill ACT 157 OF 1991

## HOUSE BILL 1561

### 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."

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

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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.

Item	Class		Maximum	Maximum Annual		
			No. of	Salary Rate		
			Employees	Fiscal Years		
<del>29</del>	<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>1991-92</del>	<del>1992-93</del>	
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
36	(5)	A044	SECURITIES EXAMINER SUPERVISOR	3		GRADE 22

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

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

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

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25	ITEM	FISCAL YEARS	
26	<del>NO.</del>	<del>1991-92</del>	<del>1992-93</del>
27	(01) REGULAR SALARIES	\$ 912,453	\$ 958,612
28	(02) EXTRA HELP	12,000	12,000
29	(03) PERSONAL SERVICES MATCHING	213,781	225,952
30	(04) MAINTENANCE & GENERAL OPERATIONS		
31	(A) OPER. EXPENSES	\$ 245,000	\$ 245,000
32	(B) CONF. & TRAVEL	5,100	5,100
33	(C) PROF. FEES	24,484	24,484
34	(D) CAPITAL OUTLAY	5,000	5,000
35	(E) DATA PROCESSING	<u>0</u>	<u>0</u>

1	TOTAL MAINT. & GEN. OPERATIONS	279,584	279,584
2			
3	(05) CONTINGENCY	200,000	200,000
4	(06) EXAMINATION TRAVEL	<u>10,836</u>	<u>10,836</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$1,628,654</u>	<u>\$1,686,984</u>
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7 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the State  
8 Securities Department, to be payable from cash funds as defined by Arkansas  
9 Code 19-4-801 of the State Securities Department, for refunds for  
10 overpayments/transfers to the State Treasury for the biennial period ending  
11 June 30, 1993, the following:

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13	ITEM	FISCAL YEARS	
14	NO.	1991-92	1992-93
15	(01) REFUNDS/TRANSFERS TO TREASURY	<u>\$ 4,500,000</u>	<u>\$ 4,500,000</u>
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17 SECTION 5. All revenues received from administrative fines shall be  
18 deposited into the fund account from which the Arkansas Securities Department  
19 receives its maintenance and support as special revenues. Such revenues  
20 received, up to a maximum of \$200,000, in each fiscal year, may be used for  
21 rental of hearing rooms and to contract for legal, accounting, and other  
22 appropriate assistance in addition to that available from the Department's  
23 regular staff in specific cases and situations as deemed necessary by the  
24 Securities Commissioner.

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

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

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

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

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

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

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

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

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APPROVED: 2-18-91

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