

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

**A BILL ACT 603 OF 1991**  
**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                             | 23 FISCAL YEARS     |                     |
|-------------------------------------|---------------------|---------------------|
|                                     | 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  
36 regarding the request. Upon the approval of the Chief Fiscal Officer of the

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

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

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

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

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32 SECTION 5. *APPROPRIATIONS - CASH FUNDS.* There is hereby appropriated, to  
 33 the Department of Finance and Administration, to be payable from various state  
 34 agencies' and institutions' cash funds held in financial institutions, for the  
 35 purpose of providing various state agencies with supplemental appropriations  
 36 for the payment of personal services for the biennial period ending June 30,

1 1993, the following:

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| 3 ITEM                  | FISCAL YEARS       |                     |
|-------------------------|--------------------|---------------------|
| <del>4 NO.</del>        | <del>1991-92</del> | <del>1992-93</del>  |
| 5 (1) PERSONAL SERVICES | <u>\$5,000,000</u> | <u>\$10,000,000</u> |

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

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

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

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

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

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

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

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

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

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

*/s/Joint Budget Committee*

APPROVED: 3-19-91

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