

.As Engrossed: 3/4/91

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

A BILL ACT 690 OF 1991
SENATE BILL 97

For An Act To Be Entitled

8 "AN AUTHORIZATION AND ACT TO MAKE AN APPROPRIATION TO
9 DEFRAY EXPENSES IN CONNECTION WITH PUBLIC RELATIONS
10 ACTIVITIES OF CERTAIN CONSTITUTIONAL OFFICERS FOR THE
11 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER
12 PURPOSES."

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

16 SECTION 1. PURPOSE. (a) It has been found and is declared that
17 because of the nature of the duties imposed upon them by the Constitution, the
18 officials hereinafter named are subject to great financial burdens, often
19 approaching hardship, arising out of the necessity of maintaining satisfactory
20 public relations with official guests of neighboring states, in the Federal
21 Government, as well as other personages whose goodwill is essential to the
22 welfare of the State of Arkansas.

23 (b) *It is further determined for the purposes of this Act, that public*
24 *relations activities may include expenses incurred for and in relation to the*
25 *following:*

- 26 (1) *travel;*
27 (2) *entertainment;*
28 (3) *meals;*
29 (4) *lodging;*
30 (5) *major housing expenses such as rent or mortgage payments,*
31 *utilities, maintenance and repairs, etc., for housing in the state of*
32 *Arkansas;*
33 (6) *home office expense;*
34 (7) *postage;*
35 (8) *gifts;*
36 (9) *contributions; and*

1 (10) memberships.

2 (c) Moreover, the remuneration of such officers is inadequate to bear
3 this additional necessary expense, and there is urgent need to mitigate the
4 inequity of this situation. It is therefore the purpose of this Act to
5 promote the common good of the State of Arkansas by providing funds which will
6 enable the named officials to continue beneficial public relations activities
7 without personal financial hardships as follows for each fiscal year, to be
8 disbursed according to law:

9 (01) GOVERNOR	\$ 19,000
10 (02) SECRETARY OF STATE	15,000
11 (03) TREASURER OF STATE	15,000
12 (04) AUDITOR OF STATE	15,000
13 (05) ATTORNEY GENERAL	15,000
14 (06) LAND COMMISSIONER	15,000
15 (07) LIEUTENANT GOVERNOR	15,000
16 (08) PRESIDENT PRO TEMPORE OF THE SENATE	10,000
17 (09) SPEAKER OF THE HOUSE OF REPRESENTATIVES	10,000

18
19 SECTION 2. DISBURSEMENT PROCEDURES. (a) The following disbursement
20 procedures shall apply to funds expended under this Act and on and after the
21 effective date of this Act, and to funds appropriated under Act 30 of the
22 First Extraordinary Session of 1989.

23 (b) The amount for public relations expenses as may be herein
24 appropriated shall be payable monthly for expenses actually incurred in the
25 previous month in each of the foregoing fiscal years and upon invoice
26 submitted with an expense report and supporting receipts or other
27 documentation. The invoice and expense report shall be made on forms adopted
28 and approved by the Auditor of State. On each invoice, the constitutional
29 officer shall verify that all expenses claimed for reimbursement were incurred
30 in accordance with this Act. The expense report submitted with the invoice
31 shall also be verified by the constitutional officer as documenting expenses
32 actually incurred in accordance with this Act. Such expense report shall be
33 completed in sufficient detail to identify for each expense the purpose of the
34 expenditure, where incurred, if applicable, and the person or entity for whom
35 the expense was incurred. Copies of receipts or other documentation

1 supporting the claimed expenses shall be attached to the expense report.
2 Provided, that in any one (1) calendar year, an officer shall not be permitted
3 to draw more than the total of one half (1/2) of the sum appropriated for the
4 fiscal year falling within the calendar year.

5 (c) Each constitutional officer shall designate an Expense
6 Reimbursement Officer within his or her office to: (1) assist the
7 constitutional officer in completing the monthly invoice and expense report
8 with attached receipts or other documentation; (2) submit such materials to
9 the Auditor of State prior to reimbursement taking place; and (3) maintain
10 such materials, including original receipts and other supporting
11 documentation, in the office of the constitutional officer for a period of not
12 less than four (4) years. All invoices, expense reports, and other
13 documentation required by this section shall be available for public
14 inspection and copying in accordance with Act 93 of 1967, as amended.

15 (d) The Auditor of State shall, after receiving the requisite invoice
16 and expense report, accompanied by copies of receipts or other supporting
17 documentation from the constitutional officer, issue a warrant drawn in favor
18 of each constitutional officer, or at the request of the official, in the name
19 of the public relations account for that office. The Auditor of State shall
20 also maintain the materials submitted by the constitutional officer for a
21 period of not less than four (4) years. All invoices, expense reports, and
22 other documentation required by this section shall be available for public
23 inspection and copying in accordance with Act 93 of 1967, as amended.

24 (e) The State Treasurer is hereby authorized and directed to pay the
25 same from the fund appropriated for such purposes. Any unexpended balance of
26 the appropriation remaining at the close of the fiscal year ending June 30,
27 1991, and at the close of the fiscal year ending June 30, 1992, shall be
28 carried forward so as to ensure all eligible expenses for the 1991 and 1992
29 years are reimbursed.

30 (f) Provided further, that each official enumerated in this act who
31 maintains a permanent residence outside Pulaski County may be furnished with a
32 residence in a state-owned and operated facility at no charge during the
33 official's term of office.

34

35 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the

1 Auditor of State, to be payable from the Constitutional Officers Fund, for
 2 defraying expenses in connection with public relations activities of the
 3 various Constitutional Officers, as may be provided by law for the biennial
 4 period ending June 30, 1993, the following:

6 ITEM	FISCAL YEARS	
7 NO.	1991-92	1992-93
8 (01) PUBLIC RELATIONS EXPENSES	\$ 129,000	\$ 129,000
9 (02) PERSONAL SERVICES MATCHING	<u>10,000</u>	<u>10,000</u>
10 TOTAL AMOUNT APPROPRIATED	<u>\$ 139,000</u>	<u>\$ 139,000</u>

11

12 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 13 authorized by this Act shall be limited to the appropriation for such agency
 14 and funds made available by law for the support of such appropriations; and
 15 the restrictions of the State Purchasing Law, the General Accounting and
 16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 17 Procedures and Restrictions Act, or their successors, and other fiscal control
 18 laws of this State, where applicable, and regulations promulgated by the
 19 Department of Finance and Administration, as authorized by law, shall be
 20 strictly complied with in disbursement of said funds.

21

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

30

31 SECTION 6. CODE. All provisions of this Act of a general and permanent
 32 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
 33 Code Revision Commission shall incorporate the same in the Code.

34

35 SECTION 7. SEVERABILITY. If any provision of this Act or the

1 application thereof to any person or circumstance is held invalid, such
2 invalidity shall not affect other provisions or applications of the Act which
3 can be given effect without the invalid provision or application, and to this
4 end the provisions of this Act are declared to be severable.

5

6 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
7 with this Act are hereby repealed.

8

9 SECTION 9. HEALTH PREMIUMS. The Auditor of State shall not, during the
10 1992-93 fiscal year, spend more for health insurance per employee than the
11 amount being contributed to the State Employees Health Insurance Program.

12

13 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
14 Seventy-Eighth General Assembly, that the Constitution of the State of
15 Arkansas prohibits the appropriation of funds for more than a two (2) year
16 period; that the effectiveness of this Act on July 1, 1991 is essential to the
17 operation of the agency for which the appropriations in this Act are provided,
18 and that in the event of an extension of the Regular Session, the delay in the
19 effective date of this Act beyond July 1, 1991 could work irreparable harm
20 upon the proper administration and provision of essential governmental
21 programs. Therefore, an emergency is hereby declared to exist and all sections
22 of this Act, other than SECTION 2 of this Act, being necessary for the
23 immediate preservation of the public peace, health and safety shall be in full
24 force and effect from and after July 1, 1991. SECTION 2 of this Act, also
25 being necessary for the immediate preservation of the public peace, health,
26 and safety shall be in full force and effect upon the date of acceptance and
27 approval of this Act.

28

29 /s/Russ

30

APPROVED: 3-22-91

32

33

34

35

- 1
- 2
- 3