

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

A Bill

ACT 207 OF 1993
HOUSE BILL 1365

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

		Maximum Annual	
		Maximum Salary Rate	
Item Class	No. of	Fiscal Years	
No. Code Title	Employees	1993-94	1994-95
(1) 9921 SECURITIES COMMISSIONER	1	\$ 58,491	\$ 60,538
(2) 696Z SECURITIES DEPUTY COMMISSIONER	1		GRADE 26
R038 ATTORNEY SUPERVISOR	1		
(3) R011 SECURITIES ASSISTANT COMMISSIONER	2		GRADE 25

1	RI70 ATTORNEY SPECIALIST	3	
2	(4) 070Z SECURITIES CHIEF EXAMINER	1	GRADE 23
3	(5) A044 SECURITIES EXAMINER SUPERVISOR	3	GRADE 22
4	(6) A090 SECURITIES EXAMINER	10	GRADE 20
5	(7) A11 ACCOUNTANT	1	GRADE 18
6	(8) R010 ADMINISTRATIVE ASSISTANT II	2	GRADE 17
7	(9) K011 ADMIN SUPPORT SUPERVISOR	1	GRADE 15
8	R009 ADMINISTRATIVE ASSISTANT I	1	
9	(10) K117 MEDICAL OR LEGAL SECRETARY	2	GRADE 14
10	(11) K039 DOCUMENT EXAMINER II	2	GRADE 12
11	(12) K155 SECRETARY I	1	GRADE 11
12	(13) K075 MICRO-PHOTOGRAPHER I	<u>1</u>	GRADE 07
13	MAX NO. OF EMPLOYEES	33	

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

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

28 ITEM	29 FISCAL YEARS	
	1993-94	1994-95
30 (01) REGULAR SALARIES	\$ 988,542	\$ 1,023,380
31 (02) EXTRA HELP	12,000	12,000
32 (03) PERSONAL SERV MATCHING	253,208	259,445
33 (04) MAINT. & GEN. OPERATION		
34 (A) OPER. EXPENSE \$	225,835	\$ 225,835
35 (B) CONF. & TRVL.	5,100	5,100

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

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9 **SECTION 4. APPROPRIATIONS.** There is hereby appropriated, to the State

10 **Securities Department, to be payable from cash funds as defined by Arkansas Code 19-4-801 of**

11 **the State Securities Department, for refunds of over payments and transfers to the State**

12 **Treasury for the biennial period ending June 30, 1995, the following:**

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

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18 **SECTION 5.** All revenues received from administrative fines shall be deposited into

19 **the fund account from which the Arkansas Securities Department receives its maintenance**

20 **and support as special revenues. Such revenues received, up to a maximum of \$200,000, in**

21 **each fiscal year, may be used for rental of hearing rooms and to contract for legal, accounting,**

22 **and other appropriate assistance in addition to that available from the Department's regular**

23 **staff in specific cases and situations as deemed necessary by the 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 and funds made**

28 **available by law for the support of such appropriations; and the restrictions of the State**

29 **Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue**

30 **Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors,**

31 **and other fiscal control laws of this State, where applicable, and regulations promulgated by**

32 **the Department of Finance and Administration, as authorized by law, shall be strictly**

33 **complied with in disbursement of said funds.**

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35 **SECTION 7. LEGISLATIVE INTENT.** It is the intent of the General Assembly that

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

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

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

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20 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
21 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the
22 appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on
23 July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act
24 are provided, and that in the event of an extension of the Regular Session, the delay in the
25 effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper
26 administration and provision of essential governmental programs. Therefore, an emergency is
27 hereby declared to exist and this Act being necessary for the immediate preservation of the
28 public peace, health and safety shall be in full force and effect from and after July 1, 1993.

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30 APPROVED: 2/24/93

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