

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

A Bill

ACT 743 OF 1993
SENATE BILL 715

For An Act To Be Entitled

**"AN ACT TO MAKE AN APPROPRIATION TO THE
DEPARTMENT OF FINANCE AND ADMINISTRATION TO
PROVIDE FOR INCREASES IN COMPENSATION LEVELS
FOR EMPLOYEES OF STATE AGENCIES, FOR THE
BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR
OTHER PURPOSES."**

Subtitle

**"AN ACT TO PROVIDE INCREASES IN COMPENSATION
LEVELS FOR EMPLOYEES OF STATE AGENCIES."**

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

SECTION 1. APPROPRIATIONS - STATE TREASURY FUNDS. There is hereby appropriated, to the Department of Finance and Administration, to be payable from various State Treasury funds, fund accounts and accounts, for the purpose of providing various state agencies with supplemental appropriations for the payment of personal services for the biennial period ending June 30, 1995, the following:

ITEM	FISCAL YEARS	
NO.	1993-94	1994-95
(1) PERSONAL SERVICES	<u>\$18,193,367</u>	<u>\$38,176,651</u>

SECTION 2. APPROPRIATION TRANSFER PROCEDURES. In the event that the General Assembly has not provided sufficient appropriation for the payment of Personal Services for any state agency or institution due to the enactment of this act or any other Act approved by the Seventy-Ninth General Assembly which raises the compensation level or required benefit matching costs of state employees, the agency or institution may request a transfer from the appropriation provided for herein from the Chief Fiscal Officer of the State. Such request shall clearly state the amount required, the fund or fund account from which the

1 employees are currently being paid, and such other information as may be required by the
 2 Chief Fiscal Officer of the State that he deems necessary to make a decision regarding the
 3 request. Upon the approval of the Chief Fiscal Officer of the State or upon processing the
 4 request for elected Constitutional Officers and their employees by the Chief Fiscal Officer of
 5 the State, the State Auditor shall be notified as to the amount and the purposes for which said
 6 appropriation is to be made. The appropriation shall then be added to the proper account on
 7 the books of the Department of Finance and Administration and the State Auditor payable
 8 from the fund or fund account from which the employees of the state agency or institution are
 9 authorized to be paid by law. Such appropriation transfers shall be limited to Regular Salaries
 10 or Personal Services Matching or both.

11

12 **SECTION 3. FUNDING TRANSFER.** Funding of payplan increases provided by the
 13 Seventy-Ninth General Assembly in each fiscal year of the biennium and funding for the
 14 appropriation transfers authorized by this act, or for any part thereof, for those state agencies
 15 which are supported in whole or in part from general revenues shall, if required, be provided
 16 for by a transfer from the Merit Adjustment Fund to the proper fund or fund account and in
 17 such amounts as may be determined by the Chief Fiscal Officer of the State. The State
 18 Agencies shall, in addition to the funds provided in this section for Personal Services from the
 19 Merit Adjustment Fund, make available any funding generated from agency salary savings for
 20 such purposes as provided for herein, from the funds or fund accounts as prescribed by law.

21

22 **SECTION 4. COMPLIANCE WITH OTHER LAWS.** Disbursement of funds
 23 authorized by this Act shall be limited to the appropriation for such agency and funds made
 24 available by law for the support of such appropriations; and the restrictions of the State
 25 Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue
 26 Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors,
 27 and other fiscal control laws of this State, where applicable, and regulations promulgated by
 28 the Department of Finance and Administration, as authorized by law, shall be strictly
 29 complied with in disbursement of said funds.

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31 **SECTION 5. LEGISLATIVE INTENT.** It is the intent of the General Assembly that
 32 any funds disbursed under the authority of the appropriations contained in this Act shall be in
 33 compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency
 34 Requests, Executive Recommendations and Legislative Recommendations contained in the
 35 budget manuals prepared by the Department of Finance and Administration, letters, or

1 **summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint**
2 **Budget Committee which relate to its passage and adoption.**

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

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8 **SECTION 7. SEVERABILITY. If any provision of this Act or the application thereof**
9 **to any person or circumstance is held invalid, such invalidity shall not affect other provisions**
10 **or applications of the Act which can be given effect without the invalid provision or application,**
11 **and to this end the provisions of this Act are declared to be severable.**

12

13 **SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict with**
14 **this Act are hereby repealed.**

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16 **SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the**
17 **Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the**
18 **appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on**
19 **July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act**
20 **are provided, and that in the event of an extension of the Regular Session, the delay in the**
21 **effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper**
22 **administration and provision of essential governmental programs. Therefore, an emergency is**
23 **hereby declared to exist and this Act being necessary for the immediate preservation of the**
24 **public peace, health and safety shall be in full force and effect from and after July 1, 1993.**

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APPROVED: 3/26/93