

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 94 OF 1995
HOUSE BILL 1245

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, 1997; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "AN ACT FOR THE STATE SECURITIES
15 DEPARTMENT APPROPRIATION FOR THE 1995-97
16 BIENNIUM."

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

20 SECTION 1. REGULAR SALARIES. There is hereby established for the State
21 Securities Department for the 1995-97 biennium, the following maximum number
22 of regular employees whose salaries shall be governed by the provisions of the
23 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
24 seq.), or its successor, and all laws amendatory thereto. Provided, however,
25 that any position to which a specific maximum annual salary is set out herein
26 in dollars, shall be exempt from the provisions of said Uniform Classification
27 and Compensation Act. All persons occupying positions authorized herein are
28 hereby governed by the provisions of the Regular Salaries Procedures and
29 Restrictions Act (Arkansas Code §21-5-101), or its successor.

			Maximum Annual	
			Maximum	Salary Rate
Item	Class		No. of	Fiscal Years
No.	Code	Title	Employees	1995-96 1996-97
35	(1)	9921 SECURITIES COMMISSIONER	1	\$ 63,291 \$ 64,873
36	(2)	696Z SECURITIES DEPUTY COMMISSIONER	1	GRADE 26

1	R038 ATTORNEY SUPERVISOR	1	
2	(3) R011 SECURITIES ASSISTANT COMMISSIONER	3	GRADE 25
3	R170 ATTORNEY SPECIALIST	2	
4	(4) 070Z SECURITIES CHIEF EXAMINER	1	GRADE 23
5	(5) A044 SECURITIES EXAMINER SUPERVISOR	3	GRADE 22
6	(6) A090 SECURITIES EXAMINER	10	GRADE 20
7	A006 ACCOUNTING SUPERVISOR I	1	
8	(7) R010 ADMINISTRATIVE ASSISTANT II	2	GRADE 17
9	(8) A108 ACCOUNTING TECHNICIAN II	1	GRADE 15
10	R009 ADMINISTRATIVE ASSISTANT I	1	
11	(9) K117 MEDICAL OR LEGAL SECRETARY	2	GRADE 14
12	(10) K039 DOCUMENT EXAMINER II	2	GRADE 12
13	(11) K155 SECRETARY I	1	GRADE 11
14	(12) K075 MICRO-PHOTOGRAPHER I	<u>1</u>	GRADE 07
15	MAX NO. OF EMPLOYEES	33	

16

17 SECTION 2. EXTRA HELP. There is hereby authorized, for the State

18 Securities Department for the 1995-97 biennium, the following maximum number

19 of part-time or temporary employees, to be known as "Extra Help", payable from

20 funds appropriated herein for such purposes: two (2) temporary or part-time

21 employees, when needed, at rates of pay not to exceed those provided in the

22 Uniform Classification and Compensation Act, or its successor, or this act for

23 the appropriate classification.

24

25 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State

26 Securities Department, to be payable from the Securities Department Fund, for

27 personal services and operating expenses of the State Securities Department

28 for the biennial period ending June 30, 1997, the following:

29			
30	ITEM		FISCAL YEARS
31	NO.	_____	1995-96 1996-97
32	(01) REGULAR SALARIES	\$ 1,020,086	\$ 1,020,146
33	(02) EXTRA HELP	12,000	12,000
34	(03) PERSONAL SERV MATCHING	269,509	269,519
35	(04) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE \$	225,835	\$	225,835
2	(B) CONF. & TRVL.	5,100		5,100
3	(C) PROF. FEES	24,484		24,484
4	(D) CAP. OUTLAY	44,000		44,000
5	(E) DATA PROC.	<u>0</u>		<u>0</u>
6	TOTAL MAINT. & GEN. OPER.		299,419	299,419
7	(05) CONTINGENCY		200,000	200,000
8	(06) EXAMINATION TRAVEL		<u>7,500</u>	<u>7,500</u>
9	TOTAL AMOUNT APPROPRIATED		<u>\$ 1,808,514</u>	<u>\$ 1,808,584</u>

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11 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the State
 12 Securities Department, to be payable from cash funds as defined by Arkansas
 13 Code 19-4-801 of the State Securities Department, for refunds of overpayments
 14 and transfers to the State Treasury for the biennial period ending June 30,
 15 1997, the following:

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17	ITEM	FISCAL YEARS	
18	NO.	1995-96	1996-97
19	(01) REFUNDS/TRANSFERS TO TREASURY	<u>\$ 9,750,000</u>	<u>\$ 9,750,000</u>

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21 SECTION 5. All revenues received from administrative fines shall be
 22 deposited into the fund account from which the Arkansas Securities Department
 23 receives its maintenance and support as special revenues. Such revenues
 24 received, up to a maximum of \$200,000, in each fiscal year, may be used for
 25 rental of hearing rooms and to contract for legal, accounting, and other
 26 appropriate assistance in addition to that available from the Department's
 27 regular staff in specific cases and situations as deemed necessary by the
 28 Securities Commissioner.

29

30 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 31 authorized by this Act shall be limited to the appropriation for such agency
 32 and funds made available by law for the support of such appropriations; and
 33 the restrictions of the State Purchasing Law, the General Accounting and
 34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 35 Procedures and Restrictions Act, or their successors, and other fiscal control

1 laws of this State, where applicable, and regulations promulgated by the
2 Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

4

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

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

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

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

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27 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
28 Eightieth General Assembly, that the Constitution of the State of Arkansas
29 prohibits the appropriation of funds for more than a two (2) year period; that
30 the effectiveness of this Act on July 1, 1995 is essential to the operation of
31 the agency for which the appropriations in this Act are provided, and that in
32 the event of an extension of the Regular Session, the delay in the effective
33 date of this Act beyond July 1, 1995 could work irreparable harm upon the
34 proper administration and provision of essential governmental programs.
35 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and
2 safety shall be in full force and effect from and after July 1, 1995.

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APPROVED: 1/26/95

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