

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

Act 344 of 2001  
HOUSE BILL 1620

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR DISTRIBUTING  
10 PROCEEDS FROM THE SALE OR REDEMPTION OF TAX DELINQUENT  
11 LAND AND FOR PERSONAL SERVICES AND OPERATING EXPENSES  
12 FOR THE LAND DEPARTMENT FOR THE BIENNIAL PERIOD ENDING  
13 JUNE 30, 2003; AND FOR OTHER PURPOSES.  
14

## Subtitle

15 AN ACT FOR THE LAND DEPARTMENT -  
16 BIENNIAL OPERATIONS APPROPRIATION FOR  
17 THE 2001-2003 BIENNIUM.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for  
25 the Land Department for the 2001-2003 biennium, the following maximum number  
26 of regular employees whose salaries shall be governed by the provisions of the  
27 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
28 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
29 that any position to which a specific maximum annual salary is set out herein  
30 in dollars, shall be exempt from the provisions of said Uniform Classification  
31 and Compensation Act. All persons occupying positions authorized herein are  
32 hereby governed by the provisions of the Regular Salaries Procedures and  
33 Restrictions Act (Arkansas Code §21-5-101), or its successor.  
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Maximum Annual  
Maximum Salary Rate

Item	No.	Title	No. of Employees	Fiscal Years 2001-2002	Fiscal Years 2002-2003
(1)		CHIEF DEPUTY	1	\$76,977	\$78,978
(2)		SYSTEMS MANAGER	1	\$60,000	\$61,560
(3)		MINERALS LEASING OFFICER	1	\$59,883	\$61,440
(4)		FISCAL UNIT MANAGER	1	\$56,360	\$57,825
(5)		ADMINISTRATIVE ASSISTANT	2	\$54,271	\$55,682
(6)		EXECUTIVE ASSISTANT	1	\$54,271	\$55,682
(7)		DIRECTOR OF SPECIAL PROJECTS	1	\$50,125	\$51,428
(8)		FORFEITED LAND SALES MANAGER	1	\$48,373	\$49,630
(9)		LAND COMMISSION ATTORNEY	1	\$48,033	\$49,282
(10)		APPRAISER	10	\$45,402	\$46,582
(11)		ABTRACTOR	1	\$44,983	\$46,153
(12)		DIRECTOR OF URBAN & GOVT. AFFAIRS	1	\$44,983	\$46,153
(13)		FISCAL ADMINISTRATOR	1	\$42,888	\$44,003
(14)		DIRECTOR OF PURCHASING	1	\$40,500	\$41,553
(15)		EXECUTIVE SECRETARY	1	\$39,037	\$40,052
(16)		DEEDWRITER/CASHIER	1	\$38,048	\$39,037
(17)		FORFEITED LAND SALES TECH	6	\$38,048	\$39,037
(18)		DATA PROCESSING MANAGER	1	\$35,971	\$36,906
(19)		ACCOUNTANT	1	\$34,310	\$35,202
(20)		RESEARCH ANALYST	7	\$32,887	\$33,743
(21)		SECRETARY II	<u>2</u>	\$26,871	\$27,570
		MAX. NO. OF EMPLOYEES	43		

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Land Department for the 2001-2003 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: five (5) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Land Department, to be payable from the State Central Services Fund, for personal services and operating expenses of the Land Department for the

1 biennial period ending June 30, 2003, the following:

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3	ITEM	FISCAL YEARS	
4	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
5	(01) REGULAR SALARIES	\$ 1,849,543	\$ 1,896,220
6	(02) EXTRA HELP	40,000	40,000
7	(03) PERSONAL SERV MATCHING	458,090	466,357
8	(04) MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE	66,000	66,000
10	(B) CONF. & TRAVEL	10,000	10,000
11	(C) PROF. FEES	0	0
12	(D) CAP. OUTLAY	0	0
13	(E) DATA PROC.	<u>0</u>	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,423,633</u>	<u>\$ 2,478,577</u>

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16 SECTION 4. APPROPRIATIONS - DELINQUENT TAX MONIES - CASH. There is hereby  
 17 appropriated, to the Land Department, to be payable from cash funds as defined  
 18 by Arkansas Code 19-4-801 of the Land Department, for operating expenses and  
 19 for distributing proceeds from the sale or redemption of tax delinquent land  
 20 as prescribed by Chapter 37 of Title 26 of the Arkansas Code by the Land  
 21 Department for the biennial period ending June 30, 2003, the following:

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23	ITEM	FISCAL YEARS	
24	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
25	(01) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE	801,500	836,000
27	(B) CONF. & TRAVEL	0	0
28	(C) PROF. FEES	30,000	30,000
29	(D) CAP. OUTLAY	0	0
30	(E) DATA PROC.	0	0
31	(02) RECORDING FEE REIMBURSEMENT	150,000	165,000
32	(03) DELINQUENT TAX REMITTAL/SALE REFUNDS	<u>13,000,000</u>	<u>14,000,000</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 13,981,500</u>	<u>\$ 15,031,000</u>

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35 SECTION 5. APPROPRIATIONS - CAPITAL OUTLAY/OPERATING EXPENSES. There is  
 36 hereby appropriated, to the Land Department, to be payable from cash funds as

1 defined by Arkansas Code 19-4-801 of the Land Department, from proceeds of  
 2 fees collected by the Land Department, for operating expenses and capital  
 3 outlay of the Land Department for the biennial period ending June 30, 2003,  
 4 the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) CAPITAL OUTLAY/OPERATING EXPENSES	\$ 263,650	\$ 267,800

11 SECTION 6. APPROPRIATION - NATURAL RESOURCES LEASING AND PERMIT PROGRAM.  
 12 There is hereby appropriated, to the Land Department, to be payable from the  
 13 Severed Resources Fund, for operating expenses of the Land Department -  
 14 Natural Resources Leasing and Permit Program for the biennial period ending  
 15 June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	15,000	15,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	\$ 15,000	\$ 15,000

28 SECTION 7. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 29 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
 30 appropriations as provided in this Act, the agency disbursing officer shall  
 31 monitor the level of fund balances in relation to expenditures on a monthly  
 32 basis. If any proposed expenditures would cause a fund balance to decline to  
 33 less than fifty percent (50%) of the balance available on July 1, 2001, the  
 34 disbursing officer shall immediately notify the executive head of the agency.  
 35 Prior to any obligations being made under these circumstances, the agency  
 36 head shall file written documentation with the Chief Fiscal Officer of the

1 State requesting approval of the expenditures. Such documentation shall  
 2 provide sufficient financial data to justify the expenditures and shall  
 3 include the following:

- 4 1) a plan that clearly indicates the specific fiscal impact of such  
 5 expenditures on the fund balance.
- 6 2) information clearly indicating and explaining what programs would be cut or  
 7 any other measures to be taken by the agency to restore the fund balance.
- 8 3) the extent to which any of the planned expenditures are for one-time costs  
 9 or one-time purchase of capitalized items.
- 10 4) a statement certifying that the expenditure of fund balances will not  
 11 jeopardize the financial health of the agency, nor result in a permanent  
 12 depletion of the fund balance.

13 (B) The Chief Fiscal Officer of the State shall review the request and  
 14 approve or disapprove all or any part of the request , after having sought  
 15 prior review by the Legislative Council.

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 17 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
 18 this act shall be limited to the appropriation for such agency and funds made  
 19 available by law for the support of such appropriations; and the restrictions  
 20 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
 21 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
 22 Restrictions Act, or their successors, and other fiscal control laws of this  
 23 State, where applicable, and regulations promulgated by the Department of  
 24 Finance and Administration, as authorized by law, shall be strictly complied  
 25 with in disbursement of said funds.

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 27 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 28 that any funds disbursed under the authority of the appropriations contained  
 29 in this act shall be in compliance with the stated reasons for which this act  
 30 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 31 and Legislative Recommendations contained in the budget manuals prepared by  
 32 the Department of Finance and Administration, letters, or summarized oral  
 33 testimony in the official minutes of the Arkansas Legislative Council or Joint  
 34 Budget Committee which relate to its passage and adoption.

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 36 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the  
 2 appropriation of funds for more than a two (2) year period; that the  
 3 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
 4 agency for which the appropriations in this Act are provided, and that in the  
 5 event of an extension of the Regular Session, the delay in the effective date  
 6 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
 7 administration and provision of essential governmental programs. Therefore, an  
 8 emergency is hereby declared to exist and this Act being necessary for the  
 9 immediate preservation of the public peace, health and safety shall be in full  
 10 force and effect from and after July 1, 2001.

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APPROVED: 2/21/2001