

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.

Act 196 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H2/10/05

A Bill

HOUSE BILL 1338

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE AUDITOR
11 OF STATE OPERATIONS AND UNCLAIMED PROPERTY
12 PROGRAM FOR THE BIENNIAL PERIOD ENDING JUNE 30,
13 2007; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE AUDITOR OF STATE -
17 BIENNIAL OPERATIONS AND UNCLAIMED
18 PROPERTY PROGRAM APPROPRIATION FOR THE
19 2005-2007 BIENNIUM.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
26 the Auditor of State for the 2005-2007 biennium, the following maximum number
27 of regular employees whose salaries shall be governed by the provisions of
28 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
29 seq.), or its successor, and all laws amendatory thereto. Provided, however,
30 that any position to which a specific maximum annual salary is set out herein
31 in dollars, shall be exempt from the provisions of said Uniform
32 Classification and Compensation Act. All persons occupying positions
33 authorized herein are hereby governed by the provisions of the Regular
34 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
35 successor.



				Maximum Annual		
				Maximum	Salary Rate	
				No. of	Fiscal Years	
Item	Class			Employees	2005-2006	2006-2007
No.	Code	Title				
6	(1)	043D	DEPUTY AUDITOR	1	\$91,044	\$93,319
7	(2)	042D	CHIEF DEPUTY	1	\$91,044	\$93,319
8	(3)	045D	DP MANAGER / ANALYST	1	\$75,568	\$77,553
9	(4)	044D	ACCOUNTING MANAGER	1	\$75,568	\$77,553
10	(5)	046D	ADMINISTRATIVE SUPERVISOR	1	\$60,958	\$62,666
11	(6)	047D	ACCOUNTING TECH II	2	\$60,388	\$62,085
12	(7)	048D	DP SPECIALIST	2	\$59,281	\$60,957
13	(8)	049D	DIVISION MANAGER	1	\$53,133	\$54,692
14	(9)	051D	TECH SPECIALIST III	1	\$50,674	\$52,186
15	(10)	050D	EXECUTIVE ASSISTANT	1	\$50,674	\$52,186
16	(11)	052D	CLERICAL TECH III	5	\$49,434	\$50,917
17	(12)	053D	CLERICAL TECH II	2	\$44,180	\$45,505
18	(13)	054D	TECHNICAL SPECIALIST	1	\$37,612	\$38,740
19	(14)	055D	WARRANT CLERK	5	\$36,508	\$37,603
20	(15)	056D	CLERICAL TECH I	<u>1</u>	\$32,637	\$33,616
21	MAX. NO. OF EMPLOYEES			26		

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23 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 24 Auditor of State for the 2005-2007 biennium, the following maximum number of
 25 part-time or temporary employees, to be known as "Extra Help", payable from
 26 funds appropriated herein for such purposes: fifteen (15) temporary or part-
 27 time employees, when needed, at rates of pay not to exceed those provided in
 28 the Uniform Classification and Compensation Act, or its successor, or this
 29 act for the appropriate classification.

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31 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 32 the Auditor of State, to be payable from the State Central Services Fund, for
 33 personal services and operating expenses of the Auditor of State for the
 34 biennial period ending June 30, 2007, the following:

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36 ITEM FISCAL YEARS

NO.		2005-2006	2006-2007
(01)	REGULAR SALARIES	\$ 1,376,320	\$ 1,415,524
(02)	EXTRA HELP	12,713	12,713
(03)	PERSONAL SERVICES MATCHING	361,168	368,522
(04)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	534,187	534,187
(B)	CONF. & TRAVEL	30,000	30,000
(C)	PROF. FEES	2,500	2,500
(D)	CAP. OUTLAY	25,000	25,000
(E)	DATA PROC.	<u>0</u>	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,341,888</u>	<u>\$ 2,388,446</u>

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13 SECTION 4. REGULAR SALARIES - UNCLAIMED PROPERTY PROGRAM. There is hereby
 14 established for the Auditor of State - Unclaimed Property Program for the
 15 2005-2007 biennium, the following maximum number of regular employees whose
 16 salaries shall be governed by the provisions of the Uniform Classification
 17 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,
 18 and all laws amendatory thereto. Provided, however, that any position to
 19 which a specific maximum annual salary is set out herein in dollars, shall be
 20 exempt from the provisions of said Uniform Classification and Compensation
 21 Act. All persons occupying positions authorized herein are hereby governed
 22 by the provisions of the Regular Salaries Procedures and Restrictions Act
 23 (Arkansas Code §21-5-101), or its successor.

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Item	Class		Maximum	Maximum Annual	
No.	Code	Title	No. of	Salary Rate	
			Employees	Fiscal Years	
				2005-2006	2006-2007
(1)	057D	UCP MANAGER	1	\$60,621	\$62,322
(2)	058D	UCP ADMIN. ASSISTANT	1	\$57,971	\$59,622
(3)	059D	UCP TECH III	1	\$54,706	\$56,295
(4)	060D	UCP TECH III	1	\$54,108	\$55,686
(5)	061D	UCP TECH II	1	\$47,082	\$48,494
(6)	062D	UCP TECH I	3	\$42,191	\$43,456
(7)	063D	UCP TECH	<u>1</u>	\$40,056	\$41,257
		MAX. NO. OF EMPLOYEES	9		

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SECTION 5. APPROPRIATION - UNCLAIMED PROPERTY PROGRAM. There is hereby appropriated, to the Auditor of State, to be payable from the State Central Services Fund, for personal services and operating expenses of the Auditor of State - Unclaimed Property Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 441,117	\$ 454,044
(02) PERSONAL SERVICES MATCHING	118,315	120,770
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	436,146	436,146
(B) CONF. & TRAVEL	16,500	16,500
(C) PROF. FEES	10,000	10,000
(D) CAP. OUTLAY	25,000	25,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,047,078</u>	<u>\$ 1,062,460</u>

SECTION 6. APPROPRIATIONS - PAYMENT OF UNCLAIMED PROPERTY CLAIMS - CASH. There is hereby appropriated, to the Auditor of State, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Auditor of State, for operating expenses and the payment of claims by the Auditor of State - Unclaimed Property Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) OPERATING EXPENSES	\$ 5,000	\$ 5,000
(02) PAYMENT OF UNCLAIMED PROPERTY CLAIMS	<u>5,000,000</u>	<u>5,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,005,000</u>	<u>\$ 5,005,000</u>

SECTION 7. APPROPRIATIONS - PAYMENT OF UNCLAIMED MINERAL PROCEEDS - CASH. There is hereby appropriated, to the Auditor of State, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Auditor of State, for operating expenses and the payment of claims for abandoned mineral proceeds

1 by the Auditor of State for the biennial period ending June 30, 2007, the
 2 following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) OPERATING EXPENSES	\$ 2,500	\$ 2,500
(02) PAYMENT OF CLAIMS FOR ABANDONED MINERAL PROCEEDS	<u>500,000</u>	<u>500,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 502,500</u>	<u>\$ 502,500</u>

11 SECTION 8. APPROPRIATION - PAYMENT OF CLAIMS - MISCELLANEOUS REVOLVING
 12 FUND. There is hereby appropriated, to the Auditor of State, to be payable
 13 from the Miscellaneous Revolving Fund, for the payment of unclaimed property
 14 claims by the Auditor of State for the biennial period ending June 30, 2007,
 15 the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) PAYMENT OF UNCLAIMED PROPERTY CLAIMS	<u>\$ 775,000</u>	<u>\$ 775,000</u>

21 SECTION 9. SPECIAL LANGUAGE. Amend Arkansas Code 19-5-205(e) (3)
 22 concerning the disbursement of funds from the State Central Services Fund to
 23 add a new subsection to read as follows:
 24 (E) In no event shall any funds or appropriations for that particular
 25 disbursing agency enumerated in (e)(3)(C) of this subdivision be affected if
 26 a deficit occurs in other State Central Services Fund appropriations or funds
 27 not enumerated in (e)(3)(C) of this subdivision for that particular
 28 disbursing agency.

30 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 31 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CAPITAL
 32 OUTLAY-CARRY FORWARD/TRANSFER AUTHORITY. Any unexpended balance of any
 33 appropriation for Capital Outlay in Section 3 of this Act which remains at
 34 the close of the fiscal year ending June 30, 2006, shall be transferred
 35 forward and made available for the same purpose for the fiscal year ending
 36 June 30, 2007.

1 In the event that unforeseen circumstances arise during the fiscal year
2 ending June 30, 2006 such that appropriations made available for Capital
3 Outlay in Section 3 of this Act are insufficient, the Auditor of State shall
4 certify the amount thereof to the Chief Fiscal Officer of the State, who upon
5 receipt of the certification, shall transfer and deduct the amount so
6 certified from the appropriation authorized for the fiscal year ending June
7 30, 2007 to the Capital Outlay appropriation in Section 3 of this Act for
8 fiscal year ending June 30, 2006.

9 The provisions of this section shall be in effect only from July 1, 2005
10 through June 30, 2007.

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12 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
13 by this act shall be limited to the appropriation for such agency and funds
14 made available by law for the support of such appropriations; and the
15 restrictions of the State Procurement 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
18 control laws of this State, where applicable, and regulations promulgated by
19 the Department of Finance and Administration, as authorized by law, shall be
20 strictly complied with in disbursement of said funds.

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22 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General Assembly
23 that any funds disbursed under the authority of the appropriations contained
24 in this act shall be in compliance with the stated reasons for which this act
25 was adopted, as evidenced by the Agency Requests, Executive Recommendations
26 and Legislative Recommendations contained in the budget manuals prepared by
27 the Department of Finance and Administration, letters, or summarized oral
28 testimony in the official minutes of the Arkansas Legislative Council or
29 Joint Budget Committee which relate to its passage and adoption.

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31 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
32 Assembly, that the Constitution of the State of Arkansas prohibits the
33 appropriation of funds for more than a two (2) year period; that the
34 effectiveness of this Act on July 1, 2005 is essential to the operation of
35 the agency for which the appropriations in this Act are provided, and that in
36 the event of an extension of the Regular Session, the delay in the effective

1 date of this Act beyond July 1, 2005 could work irreparable harm upon the
2 proper administration and provision of essential governmental programs.
3 Therefore, an emergency is hereby declared to exist and this Act being
4 necessary for the immediate preservation of the public peace, health and
5 safety shall be in full force and effect from and after July 1, 2005.

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/s/ Joint Budget Committee

APPROVED: 2/17/2005

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