

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 228 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: S2/22/07

A Bill

SENATE BILL 259

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 2009; 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 2007-2009 BIENNIUM.
20
21

22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
26 the Auditor of State for the 2007-2009 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 | 2007-2008 | 2008-2009 |
| No. | Code | Title | | | | |
| 6 | (1) | 043D | DEPUTY AUDITOR | 1 | \$95,185 | \$97,088 |
| 7 | (2) | 042D | CHIEF DEPUTY | 1 | \$95,185 | \$97,088 |
| 8 | (3) | 045D | DP MANAGER / ANALYST | 1 | \$79,104 | \$80,686 |
| 9 | (4) | 044D | ACCOUNTING MANAGER | 1 | \$79,104 | \$80,686 |
| 10 | (5) | 046D | ADMINISTRATIVE SUPERVISOR | 1 | \$63,919 | \$65,197 |
| 11 | (6) | 047D | ACCOUNTING TECH II | 2 | \$63,326 | \$64,592 |
| 12 | (7) | 048D | DP SPECIALIST | 2 | \$63,326 | \$64,592 |
| 13 | (8) | 049D | DIVISION MANAGER | 1 | \$55,785 | \$56,900 |
| 14 | (9) | 051D | TECH SPECIALIST III | 1 | \$53,229 | \$54,293 |
| 15 | (10) | 050D | EXECUTIVE ASSISTANT | 1 | \$53,229 | \$54,293 |
| 16 | (11) | 052D | CLERICAL TECH III | 5 | \$51,935 | \$52,973 |
| 17 | (12) | 053D | CLERICAL TECH II | 2 | \$46,415 | \$47,343 |
| 18 | (13) | 054D | TECHNICAL SPECIALIST | 1 | \$39,514 | \$40,304 |
| 19 | (14) | 055D | WARRANT CLERK | 5 | \$38,355 | \$39,122 |
| 20 | (15) | 056D | CLERICAL TECH I | <u>1</u> | \$34,288 | \$34,973 |
| 21 | MAX. NO. OF EMPLOYEES | | | 26 | | |

22

23 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 24 Auditor of State for the 2007-2009 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, 2009, the following:

35

36 ITEM FISCAL YEARS

| NO. | | 2007-2008 | 2008-2009 |
|------|----------------------------|---------------------|---------------------|
| (01) | REGULAR SALARIES | \$ 1,450,212 | \$ 1,485,913 |
| (02) | EXTRA HELP | 12,713 | 12,713 |
| (03) | PERSONAL SERVICES MATCHING | 403,849 | 411,077 |
| (04) | MAINT. & GEN. OPERATION | | |
| (A) | OPER. EXPENSE | 584,187 | 534,187 |
| (B) | CONF. & TRAVEL | 30,000 | 30,000 |
| (C) | PROF. FEES | 12,500 | 2,500 |
| (D) | CAP. OUTLAY | 150,000 | 25,000 |
| (E) | DATA PROC. | <u>0</u> | <u>0</u> |
| | TOTAL AMOUNT APPROPRIATED | <u>\$ 2,643,461</u> | <u>\$ 2,501,390</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 2007-2009 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 | |
| | | | | 2007-2008 | 2008-2009 |
| (1) | 057D | UCP MANAGER | 1 | \$67,747 | \$71,134 |
| (2) | 058D | UCP ADMIN. ASSISTANT | 1 | \$60,814 | \$62,030 |
| (3) | 059D | UCP TECH III | 1 | \$57,420 | \$58,568 |
| (4) | 060D | UCP TECH III | 1 | \$56,799 | \$57,934 |
| (5) | 061D | UCP TECH II | 1 | \$49,463 | \$50,452 |
| (6) | 062D | UCP TECH I | 2 | \$44,325 | \$45,211 |
| (7) | 063D | UCP TECH | <u>2</u> | \$42,082 | \$42,923 |
| | | 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, 2009, the following:

| ITEM NO. | FISCAL YEARS | |
|---------------------------------|---------------------|---------------------|
| | 2007-2008 | 2008-2009 |
| (01) REGULAR SALARIES | \$ 465,057 | \$ 476,386 |
| (02) PERSONAL SERVICES MATCHING | 131,975 | 134,269 |
| (03) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 431,146 | 431,146 |
| (B) CONF. & TRAVEL | 11,500 | 11,500 |
| (C) PROF. FEES | 20,000 | 20,000 |
| (D) CAP. OUTLAY | 25,000 | 25,000 |
| (E) DATA PROC. | <u>0</u> | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 1,084,678</u> | <u>\$ 1,098,301</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, 2009, the following:

| ITEM NO. | FISCAL YEARS | |
|---|----------------------|----------------------|
| | 2007-2008 | 2008-2009 |
| (01) OPERATING EXPENSE | \$ 2,500 | \$ 2,500 |
| (02) PAYMENT OF UNCLAIMED PROPERTY CLAIMS | <u>15,000,000</u> | <u>15,000,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 15,002,500</u> | <u>\$ 15,002,500</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, 2009, the
 2 following:

3

| 4 ITEM | FISCAL YEARS | |
|--|---------------------|---------------------|
| 5 <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| 6 (01) OPERATING EXPENSE | \$ 500 | \$ 500 |
| 7 (02) PAYMENT OF CLAIMS FOR ABANDONED | | |
| 8 MINERAL PROCEEDS | <u>1,500,000</u> | <u>1,500,000</u> |
| 9 TOTAL AMOUNT APPROPRIATED | <u>\$ 1,500,500</u> | <u>\$ 1,500,500</u> |

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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, 2009,
 15 the following:

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| 17 ITEM | FISCAL YEARS | |
|--|-------------------|-------------------|
| 18 <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| 19 (01) PAYMENT OF UNCLAIMED PROPERTY CLAIMS | <u>\$ 775,000</u> | <u>\$ 775,000</u> |

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21 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CAPITAL
 23 OUTLAY-CARRY FORWARD/TRANSFER AUTHORITY. Any unexpended balance of any
 24 appropriation for Capital Outlay in Section 3 of this Act which remains at
 25 the close of the fiscal year ending June 30, ~~2006~~ 2008, shall be transferred
 26 forward and made available for the same purpose for the fiscal year ending
 27 June 30, ~~2007~~ 2009.

28 In the event that unforeseen circumstances arise during the fiscal year
 29 ending June 30, ~~2006~~ 2008 such that appropriations made available for Capital
 30 Outlay in Section 3 of this Act are insufficient, the Auditor of State shall
 31 certify the amount thereof to the Chief Fiscal Officer of the State, who upon
 32 receipt of the certification, shall transfer and deduct the amount so
 33 certified from the appropriation authorized for the fiscal year ending June
 34 30, ~~2007~~ 2009 to the Capital Outlay appropriation in Section 3 of this Act
 35 for fiscal year ending June 30, ~~2006~~ 2008.

36 The provisions of this section shall be in effect only from July 1, ~~2005~~

1 2007 through June 30, ~~2007~~ 2009.

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3 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
4 by this act shall be limited to the appropriation for such agency and funds
5 made available by law for the support of such appropriations; and the
6 restrictions of the State Procurement Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

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13 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly
14 that any funds disbursed under the authority of the appropriations contained
15 in this act shall be in compliance with the stated reasons for which this act
16 was adopted, as evidenced by the Agency Requests, Executive Recommendations
17 and Legislative Recommendations contained in the budget manuals prepared by
18 the Department of Finance and Administration, letters, or summarized oral
19 testimony in the official minutes of the Arkansas Legislative Council or
20 Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General
23 Assembly, that the Constitution of the State of Arkansas prohibits the
24 appropriation of funds for more than a two (2) year period; that the
25 effectiveness of this Act on July 1, 2007 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the Regular Session, the delay in the effective
28 date of this Act beyond July 1, 2007 could work irreparable harm upon the
29 proper administration and provision of essential governmental programs.
30 Therefore, an emergency is hereby declared to exist and this Act being
31 necessary for the immediate preservation of the public peace, health and
32 safety shall be in full force and effect from and after July 1, 2007.

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/s/ Joint Budget Committee

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APPROVED: 3/9/2007