

**Stricken language would be deleted from and underlined language would be added to the law.
Act 289 of the Regular Session**

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1519

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO REPEAL THE APPROPRIATION ACTS OF
10 CERTAIN CONSTITUTIONAL OFFICERS; TO REPEAL ACT 22
11 OF 2009, THE APPROPRIATION ACT FOR THE PERSONAL
12 SERVICES AND OPERATING EXPENSES OF THE OFFICE OF
13 LIEUTENANT GOVERNOR FOR THE FISCAL YEAR ENDING
14 JUNE 30, 2010; TO REPEAL ACT 80 OF 2009, THE
15 APPROPRIATION ACT FOR THE PERSONAL SERVICES AND
16 OPERATING EXPENSES AND UNCLAIMED PROPERTY PROGRAM
17 OF THE AUDITOR OF STATE FOR THE FISCAL YEAR
18 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Subtitle

21 TO REPEAL ACT 22 OF 2009, THE
22 APPROPRIATION ACT FOR THE LIEUTENANT
23 GOVERNOR AND ACT 80 OF 2009, THE
24 APPROPRIATION ACT FOR THE AUDITOR OF
25 STATE.

26
27
28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
29

30 SECTION 1. Act 22 of 2009, Regular Session, the appropriation act for
31 the personal services and operating expenses of the Office of Lieutenant
32 Governor for the fiscal year ending June 30, 2010 is repealed.
33

34 ~~SECTION 1. REGULAR SALARIES — OPERATIONS. There is hereby established~~
35 ~~for the Office of Lieutenant Governor for the 2009-2010 fiscal year, the~~
36 ~~following maximum number of regular employees whose salaries shall be~~



1 governed by the provisions of the Uniform Classification and Compensation Act
 2 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
 3 thereto. Provided, however, that any position to which a specific maximum
 4 annual salary is set out herein in dollars, shall be exempt from the
 5 provisions of said Uniform Classification and Compensation Act. All persons
 6 occupying positions authorized herein are hereby governed by the provisions
 7 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
 8 101), or its successor.

Item No.	Title	Maximum Annual	
		Maximum No. of Employees	Salary Rate Fiscal Year 2009-2010
(1)	EXECUTIVE ASSISTANT	1	\$70,688
(2)	RESEARCH AND COMMUNICATIONS DIRECTOR	1	\$54,160
(3)	ADMINISTRATIVE ASSISTANT	2	\$48,514
MAX. NO. OF EMPLOYEES		4	

19 SECTION 2. EXTRA HELP — OPERATIONS. There is hereby authorized, for
 20 the Office of Lieutenant Governor for the 2009-2010 fiscal year, the
 21 following maximum number of part time or temporary employees, to be known as
 22 "Extra Help", payable from funds appropriated herein for such purposes:
 23 three (3) temporary or part time employees, when needed, at rates of pay not
 24 to exceed those provided in the Uniform Classification and Compensation Act,
 25 or its successor, or this act for the appropriate classification.

27 SECTION 3. APPROPRIATION — OPERATIONS. There is hereby appropriated,
 28 to the Office of Lieutenant Governor, to be payable from the State Central
 29 Services Fund, for personal services and operating expenses of the Office of
 30 Lieutenant Governor for the fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 221,876
(02) EXTRA HELP	10,000
(03) PERSONAL SERVICES MATCHING	62,708

1	(04) MAINT. & GEN. OPERATION	
2	 (A) OPER. EXPENSE	49,980
3	 (B) CONF. & TRAVEL	16,905
4	 (C) PROF. FEES	0
5	 (D) CAP. OUTLAY	0
6	 (E) DATA PROC.	0
7	 TOTAL AMOUNT APPROPRIATED	\$ 361,469

8

9 ~~SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS~~
10 ~~CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER~~
11 ~~PROVISION. After receiving approval from the Chief Fiscal Officer of the~~
12 ~~State, and prior review by the Arkansas Legislative Council, the Office of~~
13 ~~Lieutenant Governor is authorized to transfer appropriation from any line~~
14 ~~item authorized in Section 3 Appropriation—Operations of the Lieutenant~~
15 ~~Governor’s Office in this Act to any other line item authorized in Section 3.~~
16 ~~—The provisions of this section shall be in effect only from July 1,~~
17 ~~2009 through June 30, 2010.~~

18

19 ~~SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds~~
20 ~~authorized by this act shall be limited to the appropriation for such agency~~
21 ~~and funds made available by law for the support of such appropriations; and~~
22 ~~the restrictions of the State Procurement Law, the General Accounting and~~
23 ~~Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary~~
24 ~~Procedures and Restrictions Act, or their successors, and other fiscal~~
25 ~~control laws of this State, where applicable, and regulations promulgated by~~
26 ~~the Department of Finance and Administration, as authorized by law, shall be~~
27 ~~strictly complied with in disbursement of said funds.~~

28

29 ~~SECTION 6. LEGISLATIVE INTENT. It is the intent of the General~~
30 ~~Assembly that any funds disbursed under the authority of the appropriations~~
31 ~~contained in this act shall be in compliance with the stated reasons for~~
32 ~~which this act was adopted, as evidenced by the Agency Requests, Executive~~
33 ~~Recommendations and Legislative Recommendations contained in the budget~~
34 ~~manuals prepared by the Department of Finance and Administration, letters, or~~
35 ~~summarized oral testimony in the official minutes of the Arkansas Legislative~~
36 ~~Council or Joint Budget Committee which relate to its passage and adoption.~~

1
2 SECTION 7. EMERGENCY CLAUSE.—It is found and determined by the
3 General Assembly, that the Constitution of the State of Arkansas prohibits
4 the appropriation of funds for more than a one (1) year period; that the
5 effectiveness of this Act on July 1, 2009 is essential to the operation of
6 the agency for which the appropriations in this Act are provided, and that in
7 the event of an extension of the Regular Session, the delay in the effective
8 date of this Act beyond July 1, 2009 could work irreparable harm upon the
9 proper administration and provision of essential governmental programs.
10 Therefore, an emergency is hereby declared to exist and this Act being
11 necessary for the immediate preservation of the public peace, health and
12 safety shall be in full force and effect from and after July 1, 2009.

13
14 SECTION 2. Act 80 of 2009, Regular Session, the appropriation act for
15 the personal services and operating expenses and unclaimed property for the
16 Auditor of State for the fiscal year ending June 30, 2010 is repealed.

17
18 SECTION 1. REGULAR SALARIES—OPERATIONS.—There is hereby established
19 for the Auditor of State for the 2009-2010 fiscal year, the following maximum
20 number of regular employees whose salaries shall be governed by the
21 provisions of the Uniform Classification and Compensation Act (Arkansas Code
22 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
23 Provided, however, that any position to which a specific maximum annual
24 salary is set out herein in dollars, shall be exempt from the provisions of
25 said Uniform Classification and Compensation Act.—All persons occupying
26 positions authorized herein are hereby governed by the provisions of the
27 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
28 or its successor.

29
30

		Maximum Annual	
		Maximum	Salary Rate
Item		No. of	Fiscal Year
No.	Title	Employees	2009-2010
(1)	DEPUTY AUDITOR	1	\$101,942
(2)	CHIEF DEPUTY	1	\$101,942
(3)	DP PROGRAMMER	1	\$84,720

31
32
33
34
35
36

1	(4)	DP MANAGER / ANALYST	1	\$84,720
2	(5)	ACCOUNTING MANAGER	1	\$84,720
3	(6)	DP SPECIALIST	2	\$67,822
4	(7)	ACCOUNTING TECH II	2	\$67,822
5	(8)	DIVISION MANAGER	1	\$59,745
6	(9)	TECH SPECIALIST III	1	\$57,008
7	(10)	EXECUTIVE ASSISTANT	1	\$57,008
8	(11)	CLERICAL TECH III	4	\$55,622
9	(12)	CLERICAL TECH II	2	\$49,710
10	(13)	TECHNICAL SPECIALIST	1	\$42,319
11	(14)	WARRANT CLERK	5	\$41,078
12	(15)	CLERICAL TECH I	2	\$36,722
13		MAX. NO. OF EMPLOYEES	26	

14

15 ~~SECTION 2. EXTRA HELP — OPERATIONS. There is hereby authorized, for~~
 16 ~~the Auditor of State for the 2009-2010 fiscal year, the following maximum~~
 17 ~~number of part-time or temporary employees, to be known as "Extra Help",~~
 18 ~~payable from funds appropriated herein for such purposes: fifteen (15)~~
 19 ~~temporary or part-time employees, when needed, at rates of pay not to exceed~~
 20 ~~those provided in the Uniform Classification and Compensation Act, or its~~
 21 ~~successor, or this act for the appropriate classification.~~

22

23 ~~SECTION 3. APPROPRIATION — OPERATIONS. There is hereby appropriated,~~
 24 ~~to the Auditor of State, to be payable from the State Central Services Fund,~~
 25 ~~for personal services and operating expenses of the Auditor of State for the~~
 26 ~~fiscal year ending June 30, 2010, the following:~~

27

28	ITEM	FISCAL YEAR
29	NO.	2009-2010
30	(01) REGULAR SALARIES	\$ 1,546,154
31	(02) EXTRA HELP	12,713
32	(03) PERSONAL SERVICES MATCHING	423,513
33	(04) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	534,187
35	(B) CONF. & TRAVEL	30,000
36	(C) PROF. FEES	2,500

1	NO.	2009-2010
2	(01) REGULAR SALARIES	\$ 500,207
3	(02) PERSONAL SERVICES MATCHING	139,539
4	(03) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	431,146
6	(B) CONF. & TRAVEL	11,500
7	(C) PROF. FEES	20,000
8	(D) CAP. OUTLAY	25,000
9	(E) DATA PROC.	0
10	TOTAL AMOUNT APPROPRIATED	\$ 1,127,392

11

12 SECTION 6. APPROPRIATION — PAYMENT OF UNCLAIMED PROPERTY CLAIMS —
 13 CASH. There is hereby appropriated, to the Auditor of State, to be payable
 14 from cash funds as defined by Arkansas Code 19-4-801 of the Auditor of State,
 15 for operating expenses and the payment of claims by the Auditor of State —
 16 Unclaimed Property Program for the fiscal year ending June 30, 2010, the
 17 following:

18

19	ITEM	FISCAL YEAR
20	NO.	2009-2010
21	(01) OPERATING EXPENSES	\$ 2,500
22	(02) PAYMENT OF UNCLAIMED PROPERTY CLAIMS	15,000,000
23	TOTAL AMOUNT APPROPRIATED	\$ 15,002,500

24

25 SECTION 7. APPROPRIATION — PAYMENT OF UNCLAIMED MINERAL PROCEEDS —
 26 CASH. There is hereby appropriated, to the Auditor of State, to be payable
 27 from cash funds as defined by Arkansas Code 19-4-801 of the Auditor of State,
 28 for operating expenses and the payment of claims for abandoned mineral
 29 proceeds by the Auditor of State for the fiscal year ending June 30, 2010,
 30 the following:

31

32	ITEM	FISCAL YEAR
33	NO.	2009-2010
34	(01) OPERATING EXPENSES	\$ 500
35	(02) PAYMENT OF CLAIMS FOR ABANDONED	
36	MINERAL PROCEEDS	1,500,000

1 ~~_____ TOTAL AMOUNT APPROPRIATED _____ \$ 1,500,500~~

2

3 ~~SECTION 8. APPROPRIATION — PAYMENT OF CLAIMS — MISCELLANEOUS REVOLVING~~
4 ~~FUND. There is hereby appropriated, to the Auditor of State, to be payable~~
5 ~~from the Miscellaneous Revolving Fund, for the payment of unclaimed property~~
6 ~~claims by the Auditor of State for the fiscal year ending June 30, 2010, the~~
7 ~~following:~~

8

9 ~~ITEM _____ FISCAL YEAR~~
10 ~~NO. _____ 2009-2010~~
11 ~~(01) PAYMENT OF UNCLAIMED PROPERTY CLAIMS _____ \$ 775,000~~

12

13 ~~SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds~~
14 ~~authorized by this act shall be limited to the appropriation for such agency~~
15 ~~and funds made available by law for the support of such appropriations; and~~
16 ~~the restrictions of the State Procurement Law, the General Accounting and~~
17 ~~Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary~~
18 ~~Procedures and Restrictions Act, or their successors, and other fiscal~~
19 ~~control laws of this State, where applicable, and regulations promulgated by~~
20 ~~the Department of Finance and Administration, as authorized by law, shall be~~
21 ~~strictly complied with in disbursement of said funds.~~

22

23 ~~SECTION 10. LEGISLATIVE INTENT. It is the intent of the General~~
24 ~~Assembly that any funds disbursed under the authority of the appropriations~~
25 ~~contained in this act shall be in compliance with the stated reasons for~~
26 ~~which this act was adopted, as evidenced by the Agency Requests, Executive~~
27 ~~Recommendations and Legislative Recommendations contained in the budget~~
28 ~~manuals prepared by the Department of Finance and Administration, letters, or~~
29 ~~summarized oral testimony in the official minutes of the Arkansas Legislative~~
30 ~~Council or Joint Budget Committee which relate to its passage and adoption.~~

31

32 ~~SECTION 11. EMERGENCY CLAUSE. It is found and determined by the~~
33 ~~General Assembly, that the Constitution of the State of Arkansas prohibits~~
34 ~~the appropriation of funds for more than a one (1) year period; that the~~
35 ~~effectiveness of this Act on July 1, 2009 is essential to the operation of~~
36 ~~the agency for which the appropriations in this Act are provided, and that in~~

~~the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2009 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2009.~~

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that due to the decline in the economy and the uncertainty surrounding the amount of revenues that may be available for vital programs, additional time is needed to determine the amount of revenues that may be available for such programs during the fiscal year ending June 30, 2010; and that this act is immediately necessary because budget revisions may be necessary to insure the continued operation of vital state programs throughout the next fiscal year. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

APPROVED: 3/03/2009