

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas As Engrossed: S3/14/97 S3/26/97 S3/31/97 S4/2/97 S4/2/97 H4/4/97

2 81st General Assembly

# A Bill

ACT 1350 OF 1997

3 Regular Session, 1997

SENATE BILL 126

4

5 By: Joint Budget Committee

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7

8

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR VARIOUS STATE AGENCY  
10 TRANSFERS; TO DISBURSE MARKETING AND REDISTRIBUTION  
11 PROCEEDS; TO MAKE CAREER RECOGNITION PAYMENTS; FOR PAYING  
12 UNEMPLOYMENT COMPENSATION CLAIMS; FOR THE PURCHASE OF  
13 VEHICLES; FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION  
14 - DISBURSING OFFICER FOR THE BIENNIAL PERIOD ENDING JUNE  
15 30, 1999; AND FOR OTHER PURPOSES."

16

17

## Subtitle

18 "AN ACT FOR THE DEPARTMENT OF FINANCE  
19 AND ADMINISTRATION - DISBURSING OFFICER  
20 APPROPRIATION FOR THE 1997-99 BIENNIUM."  
21

21

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

23

24 SECTION 1. APPROPRIATIONS - MARKETING AND REDISTRIBUTION. There is  
25 hereby appropriated, to the Department of Finance and Administration -  
26 Disbursing Officer, to be payable from the Property Sales Holding Fund, for  
27 state agencies for expending or disbursing the net proceeds from property sold  
28 through the Marketing and Redistribution Division of the Department of Finance  
29 and Administration - Disbursing Officer for the biennial period ending June  
30 30, 1999, the following:

31

32 ITEM	FISCAL YEARS	
<del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
34 (01) M & R PROCEEDS	<u>\$ 4,500,000</u>	<u>\$ 4,500,000</u>

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36 SECTION 2. SPECIAL LANGUAGE - CLASSIFICATION AND USE OF APPROPRIATIONS.

1 The appropriations authorized in Section 1 hereof which are transferred to  
 2 the various agencies, as authorized in Section 3 hereof, are to be used for  
 3 the maintenance and general operation of the benefiting agency and shall only  
 4 be expended under the provisions cited in Arkansas Code 19-4-522, the same  
 5 being the General Accounting and Budgetary Procedures Law of Arkansas.  
 6 Provided, however, no appropriation authorized herein shall be expended for  
 7 Conference and Travel Expenses or Professional Fees and Services.

8  
 9 SECTION 3. SPECIAL LANGUAGE - TRANSFER PROVISION. The Department of  
 10 Finance and Administration shall, upon transfer to the agencies or  
 11 institutions fund or fund account of the proceeds derived from disposal of  
 12 property by the Marketing and Redistribution division for the benefit of  
 13 various agencies, transfer appropriation, as provided in Section 1 hereof in  
 14 such amount as funds are deposited into the Property Sales Holding Fund and  
 15 transferred therefrom for the benefit of such agencies.

16  
 17 SECTION 4. APPROPRIATIONS - CAREER SERVICE RECOGNITION PAYMENTS. There  
 18 is hereby appropriated, to the Department of Finance and Administration -  
 19 Disbursing Officer, to be payable from the Merit Adjustment Fund, for  
 20 providing annual career service recognition payments to classified employees  
 21 of state agencies for the biennial period ending June 30, 1999, the following:

ITEM	FISCAL YEARS	
<del>NO.</del>	<del>1997 98</del>	<del>1998 99</del>
(01) CAREER RECOGNITION PAYMENTS	\$ 5,145,854	\$ 5,687,825

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 23  
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 27 SECTION 5. SPECIAL LANGUAGE - APPROPRIATION TRANSFER PROCEDURES. In the  
 28 event that sufficient appropriation has not been provided for the payment of  
 29 Career Recognition Payments for any state agency or institution due to the  
 30 enactment of this Act or any other act approved by the Eighty-First General  
 31 Assembly which raises the compensation level of state employees, the agency or  
 32 institution may request a transfer from the appropriation provided in Section  
 33 4 herein from the Chief Fiscal Officer of the State. Such request shall  
 34 clearly state the amount required, the fund or fund account from which the  
 35 employees are currently being paid, and such other information as may be

1 required by the Chief Fiscal Officer of the State that he deems necessary to  
 2 make a decision regarding the request. Upon the approval of the Chief Fiscal  
 3 Officer of the State or upon processing the request for elected Constitutional  
 4 Officers and their employees by the Chief Fiscal Officer of the State, the  
 5 State Auditor shall be notified as to the amount and the purposes for which  
 6 said appropriation is to be made. The appropriation shall then be added to  
 7 the proper account on the books of the Department of Finance and  
 8 Administration and the State Auditor payable from the fund or fund account  
 9 from which the employees of the agency or institution are authorized to be  
 10 paid by law. Such appropriation transfer shall be limited to Regular Salaries  
 11 or Personal Services Matching or both.

12

13 SECTION 6. SPECIAL LANGUAGE. Funding for the appropriation transfers  
 14 authorized by Section 4 of this Act, or for any part thereof, for those state  
 15 agencies which are supported in whole or in part from general revenues, shall,  
 16 if required, be provided by a transfer from the Merit Adjustment Fund to the  
 17 proper fund or fund account and in such amounts as determined by the Chief  
 18 Fiscal Officer of the State. The State Agencies shall, in addition to the  
 19 funds provided in this Act for Annual Career Service Recognition Payments from  
 20 the Merit Adjustment Fund, make available any funding generated from agency  
 21 salary savings for such purposes from the funds or fund accounts as provided  
 22 by law.

23

24 SECTION 7. APPROPRIATIONS - MISCELLANEOUS TRANSFER APPROPRIATIONS.  
 25 There is hereby appropriated, to the Department of Finance and Administration  
 26 - Disbursing Officer, to be payable from the Miscellaneous State Treasury  
 27 Funds, for providing constitutional officers and various state agencies with  
 28 supplemental appropriations for the biennial period ending June 30, 1999, the  
 29 following:

30

<del>ITEM</del>		<del>FISCAL YEARS</del>	
NO.		1997-98	1998-99
(01)	OVERTIME	\$ 5,000,000	\$ 5,000,000
(02)	PERSONAL SERV MATCHING	4,000,000	4,000,000
(03)	REGULAR SALARIES-ELECTED		

35

1	OFFICIALS	1,500,000	1,500,000
2	(04) PERSONAL SERVICES-PAYPLAN		
3	ADJUSTMENT	56,971,199	56,971,199
4	(05) REFUND TO EXPENDITURES	500,000	500,000
5	(06) REGULAR SALARIES-STATE EMPLOYEES	<u>1,000,000</u>	<u>1,000,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 68,971,199</u>	<u>\$ 68,971,199</u>

7

8 SECTION 8. SPECIAL LANGUAGE - TRANSFER PROCEDURES - MATCHING. In the  
 9 event that there is not sufficient appropriation, from funds deposited in the  
 10 State Treasury, provided for by the General Assembly for personal services  
 11 matching for any state agency for the biennial period ending June 30, 1999,  
 12 said agency shall request a transfer from appropriation provided by item (02)  
 13 of Section 7 herein, from the Chief Fiscal Officer of the State, stating  
 14 clearly the amounts required for each item. Upon approval of the Chief Fiscal  
 15 Officer of the State, the State Auditor shall be notified as to the amount and  
 16 the purposes for which said appropriation is to be made and shall be  
 17 established upon the books of the Department of Finance and Administration and  
 18 the State Auditor. Provided further, if desired, that said appropriation shall  
 19 be supplemental to those regularly appropriated for such purposes by the  
 20 General Assembly for that agency. Provided, however, that in the event the  
 21 amount of transfer requested exceeds One Thousand Dollars (\$1,000), the Chief  
 22 Fiscal Officer of the State shall seek prior review by the Arkansas  
 23 Legislative Council or Joint Budget Committee before said transfer shall be  
 24 made.

25

26 SECTION 9. SPECIAL LANGUAGE - TRANSFER OF APPROPRIATION - ELECTED  
 27 OFFICERS. If it is determined by any office of an elected Constitutional  
 28 Officer, including the Bureau of Legislative Research, Division of Legislative  
 29 Audit or the Judicial Department, that there is not sufficient appropriation  
 30 for Regular Salaries to pay the maximum salaries which have been set by the  
 31 General Assembly for the employees of such Office, the Director of the Office  
 32 shall notify the Chief Fiscal Officer of the fact and the amount of  
 33 appropriation which has been determined to be required. Upon receipt of such  
 34 notification, and after seeking prior review by the Legislative Council or  
 35 Joint Budget Committee, the Chief Fiscal Officer of the State shall transfer

1 on his books the amount of appropriation required from the appropriation  
2 provided by Item (03) of Section 7 hereof to the Fund or Fund Account from  
3 which the Office's employees are paid and shall notify the State Auditor to  
4 process such transfer upon his books of record.

5

6 SECTION 10. SPECIAL LANGUAGE - TRANSFER PROCEDURES - REGULAR SALARIES.  
7 In the event that there is not sufficient appropriation provided for by the  
8 General Assembly for payment of Regular Salaries for any state agency for the  
9 biennial period ending June 30, 1999, said agency may request a transfer from  
10 appropriations provided by item (06) of Section 7 herein, from the Chief  
11 Fiscal Officer of the State, stating clearly the amount required. Upon  
12 approval of the Chief Fiscal Officer of the State, and after seeking prior  
13 review by the Arkansas Legislative Council or Joint Budget Committee, the  
14 State Auditor shall be notified as to the amount and the purposes for which  
15 said appropriation is to be made. The appropriation shall then be established  
16 upon the books of the Department of Finance and Administration and the State  
17 Auditor. Provided further, that if desired, said appropriation shall be  
18 supplemental to those regularly appropriated for such purposes by the General  
19 Assembly for the agency.

20

21 SECTION 11. SPECIAL LANGUAGE - RESTRICTIONS. Nothing in this Act is to  
22 be construed as an authority to transfer a like amount of current general  
23 revenues to fund appropriations provided for in Section 7 of this Act.

24

25 SECTION 12. SPECIAL LANGUAGE - RESTRICTIONS. TRANSFER PROVISIONS. The  
26 Department of Finance and Administration shall transfer appropriation as  
27 provided in Item (05) of Section 7 hereof in such amounts as funds are  
28 deposited into the State Treasury or financial institutions for proceeds  
29 received from insurance policies for casualty losses, overpayment of  
30 obligations, overpayment of salaries, over-allocation of federal assistance,  
31 maturity or redemption of investments, and subrogation payments received for  
32 workers' compensation claims paid, for the benefit of various state agencies.  
33 Provided, however, that the Chief Fiscal Officer of the State is hereby  
34 authorized to promulgate such rules, regulations, procedures, and guidelines  
35 as he may deem necessary and proper in order to carry out the provisions of

1 this act.

2

3 SECTION 13. SPECIAL LANGUAGE - TRANSFER PROCEDURES - OVERTIME. In the  
 4 event that there is not sufficient appropriation provided for by the General  
 5 Assembly for overtime compensation pursuant to Arkansas Code 19-4-1612 for any  
 6 state agency for the biennial period ending June 30, 1999, said agency shall  
 7 request a transfer from appropriations provided by item (01) of Section 7  
 8 herein, from the Chief Fiscal Officer of the State, stating clearly the amount  
 9 required. Upon approval of the Chief Fiscal Officer of the State, and after  
 10 seeking prior review by the Arkansas Legislative Council or Joint Budget  
 11 Committee, the State Auditor shall be notified as to the amount and the  
 12 purposes for which said appropriation is to be made. The appropriation shall  
 13 be established upon the books of the Department of Finance and Administration  
 14 and the State Auditor. Provided, further, that if desired, said appropriation  
 15 shall be supplemental to those regularly appropriated for such purposes by the  
 16 General Assembly for that agency.

17

18 SECTION 14. SPECIAL LANGUAGE - CLASSIFICATION AND USE OF  
 19 APPROPRIATIONS. The appropriations authorized in Item (05) of Section 7 hereof  
 20 which are transferred to the various agencies as authorized by Section 12  
 21 hereof are to be used for the same purposes and shall be expended under the  
 22 same provisions as cited in Arkansas Code 19-4-501 through 19-4-525, the same  
 23 being the General Accounting and Budgetary Procedures Law of Arkansas, or its  
 24 successor.

25

26 SECTION 15. APPROPRIATIONS - UNEMPLOYMENT COMPENSATION. There is hereby  
 27 appropriated, to the Department of Finance and Administration - Disbursing  
 28 Officer, to be payable from the Unemployment Compensation Trust Fund, for  
 29 paying unemployment compensation claims in accordance with the Employment  
 30 ~~Security Amendments for the biennial period ending June 30, 1999, the~~  
 31 following:

32

33 ITEM	FISCAL YEARS	
34 NO.	1997-98	1998-99
35 (01) UNEMPLOYMENT COMPENSATION	<u>\$ 4,000,000</u>	<u>\$ 4,000,000</u>

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SECTION 16. SPECIAL LANGUAGE - DISBURSING PROCEDURES. The Employment Security Department shall certify to the respective state agency at the end of each calendar quarter those unemployment compensation benefit payments made to former state employees who claimed and qualified for such benefits under the provisions of the Arkansas Employment Security Law. Upon satisfaction by the Chief Fiscal Officer of the State that the payments to individuals who had worked for the State of Arkansas were made in accordance with the provisions of the Arkansas Employment Security Law, he shall disburse funds from the appropriation in Section 15 of this Act to reimburse the Employment Security Department for benefits paid in the previous calendar quarter.

SECTION 17. APPROPRIATIONS - VARIOUS AGENCIES CASH. There is hereby appropriated, to the Department of Finance and Administration - Disbursing ~~Officer, to be payable from various state agency cash funds for providing~~ various state agencies with appropriations for cash funds for the biennial period ending June 30, 1999, the following:

ITEM	FISCAL YEARS	
NO.	1997-98	1998-99
(01) CASH APPROPRIATIONS	\$ 50,000,000	\$ 50,000,000
(02) PERSONAL SERVICES	<u>7,524,316</u>	<u>7,524,316</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 57,524,316</u>	<u>\$ 57,524,316</u>

SECTION 18. SPECIAL LANGUAGE - TRANSFER PROCEDURES. In the event that the appropriation is not provided by the General Assembly for Cash Fund expenditures for any state agency, pursuant to Arkansas Code 19-4-801 et. seq., said agency shall request a transfer of appropriation from the Chief Fiscal Officer of the State, stating clearly the amount required. Upon approval of the Chief Fiscal Officer of the State, and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, said cash fund appropriations shall be established upon the books of the Department of Finance and Administration, provided further, that upon request of the state agency and with the approval of the Chief Fiscal Officer of the State, the requested appropriations may be established upon the books of the

1 Department of Finance and Administration in compliance with the applicable  
 2 classifications of appropriations as enumerated in Arkansas Code 19-4-521  
 3 through 19-4-525.

4  
 5 SECTION 19. SPECIAL LANGUAGE. The appropriations provided in Section 17  
 6 herein shall not be used to establish spending authority for new or  
 7 unanticipated Federal Funds or Programs as defined by the provisions of the  
 8 Miscellaneous Federal Grant Programs Act, Arkansas Code §§19-7-501 et. seq.,  
 9 and the provisions of the General Accounting and Budgetary Procedures Act,  
 10 Arkansas Code 19-4-101 et. seq., or its successor. Funds subject to the above  
 11 mentioned acts shall be deposited in the State Treasury.

12  
 13 SECTION 20. SPECIAL LANGUAGE - SALARIES. No provisions as provided in  
 14 Section 17 herein shall be interpreted as the authority to create or establish  
 15 new positions in addition to the positions established in the agency's  
 16 Biennial Appropriation Act. In addition, salaries paid from appropriations  
 17 transferred herein shall be subject to the provision of the Regular Salaries  
 18 Procedures and Restrictions Act.

19  
 20 SECTION 21. APPROPRIATIONS - FEDERAL PROGRAMS. There is hereby  
 21 appropriated, to the Department of Finance and Administration - Disbursing  
 22 ~~Officer, to be payable from any unanticipated miscellaneous Federal Programs~~  
 23 Funds received by the State of Arkansas or any of its agencies which are  
 24 deposited in the State Treasury for transfer to state agencies as provided by  
 25 law for the biennial period ending June 30, 1999, the following:

26

27 ITEM	FISCAL YEARS	
28 NO.	1997-98	1998-99
29 (01) MISCELLANEOUS FEDERAL GRANTS	\$ 100,000,000	\$ 100,000,000
30 (02) MISCELLANEOUS JTPA PROGRAMS	<u>100,000,000</u>	<u>100,000,000</u>
31 TOTAL AMOUNT APPROPRIATED	<u>\$ 200,000,000</u>	<u>\$ 200,000,000</u>

32  
 33 SECTION 22. SPECIAL LANGUAGE - REPORTING. The Chief Fiscal Officer of  
 34 the State shall file with the Arkansas Legislative Council or Joint Budget  
 35 Committee a report summarizing all appropriations transferred and all



1 additional positions authorized under the provisions of Section 21 of this  
2 Act.

3

4 ~~SECTION 23. APPROPRIATIONS - PURCHASE OF VEHICLES. There is hereby~~  
5 ~~appropriated, to the Department of Finance and Administration - Disbursing~~  
6 ~~Officer, to be payable from the Motor Vehicle Acquisition Revolving Fund, for~~  
7 ~~the purchase of vehicles as provided by Arkansas Code §22-8-201 et. seq. for~~  
8 ~~the biennial period ending June 30, 1999, the following:~~

9

10 ITEM	FISCAL YEARS	
11 NO.	1997-98	1998-99
12 (01) PURCHASE OF VEHICLES	<u>\$ 18,000,000</u>	<u>\$ 15,000,000</u>

13

14 SECTION 24. APPROPRIATIONS - MERIT ADJUSTMENT FUND. There is hereby  
15 appropriated, to the Department of Finance and Administration - Disbursing  
16 Officer, to be payable from the Merit Adjustment Fund, for providing various  
17 state agencies and institutions of higher education with supplemental personal  
18 services for the fiscal year ending June 30, 1999, the sum of.....\$4,000,000.

19

20 SECTION 25. SPECIAL LANGUAGE. TRANSFER PROCEDURES.In the event that the  
21 Chief Fiscal Officer of the State determines that the General Assembly has not  
22 provided sufficient appropriation for the payment of Personal Services for a  
23 state agency, office, board, commission, institution or institution of higher  
24 education due to the enactment of this act or any other Act approved by the  
25 Eighty First General Assembly which raises the compensation level or required  
26 benefit matching costs of state employees, the agency, office, board,  
27 commission, institution of higher education or other institution may request a  
28 transfer from the appropriation provided herein from the Chief Fiscal Officer  
29 of the State. Such request shall clearly state the amount required, the fund  
30 or fund account from which the employees are currently being paid, and such  
31 other information as may be required by the Chief Fiscal Officer of the State  
32 that he deems necessary to make a decision regarding the request. Upon the  
33 approval of the Chief Fiscal Officer of the State or upon processing the  
34 request for elected Constitutional Officers and their employees by the Chief  
35 Fiscal Officer of the State, the State Auditor shall be notified as to the

1 amount and the purposes for which said appropriation is to be made. The  
2 appropriation shall then be added to the proper account on the books of the  
3 Department of Finance and Administration and the State Auditor payable from  
4 the fund or fund account from which the employees of the state agency, office,  
5 board, commission, institution of higher education or other institution are  
6 authorized to be paid by law. Such appropriation transfers shall be limited  
7 to Regular Salaries or Personal Services Matching or both.

8  
9       SECTION 26. FUNDING TRANSFER. Funding of compensation increases provided  
10 by the Eighty First General Assembly in the fiscal year ending June 30, 1999,  
11 and funding for the appropriation transfers authorized by Section 25 of this  
12 act for those state agencies, offices, boards, commissions, institutions and  
13 state institutions of higher education which are supported in whole or in part  
14 from general revenues shall, if required, be provided for by a transfer from  
15 the Merit Adjustment Fund to the proper fund or fund account and in such  
16 amounts as may be determined by the Chief Fiscal Officer of the State. The  
17 state agencies, offices, boards, commissions, institutions and state  
18 institutions of higher education shall, in addition to the funds provided in  
19 this section for Personal Services from the Merit Adjustment Fund, make  
20 available any funding generated from its salary savings for such purposes as  
21 provided for herein, from the funds or fund accounts as prescribed by law.

22  
23       SECTION 27. Funds appropriated in Section 24 herein shall be used to  
24 provide additional funds as may be required for a cost of living increase for  
25 state employees and institutions of higher education of up to 3.2% during the  
26 1998-99 fiscal year.

27  
28       SECTION 28. APPROPRIATIONS. There is hereby appropriated, to the  
29 Arkansas Industrial Development Commission, to be payable from the General  
30 Improvement Fund or its successor fund or fund accounts, for the purpose of  
31 providing grants to cities and counties to provide financial assistance  
32 necessary to undertake public works projects or job training which support  
33 private sector job creation opportunities or alleviate conditions which  
34 constitute a threat to public health, which shall be supplemental and in  
35 addition to those funds appropriated in Section 1 of Act 506 of 1997, the sum

1 of .....\$10,000,000.

2

3 SECTION 29. There is hereby appropriated, to the Department of Finance  
4 and Administration - Disbursing Officer, to be payable from the General  
5 Improvement Fund or its successor fund or fund account, for the biennial  
6 period ending June 30, 1999, the following:

7

8 (A) for constructing and equipping the Bigelow Civic Center, the sum of  
9 .....\$150,000.

10

11 (B) for constructing, equipping and improving the East End Ball  
12 Asociation Baseball - Softball Complex, the sum of .....\$75,000.

13

14 (C) for constructing and equipping the Caraway Senior Center, the sum  
15 of .....\$25,000.

16

17 (D) for industrial and economic development costs for the City of  
18 McCrory, Arkansas, the sum of .....\$400,000.

19

20 SECTION 30. The unexpended balance of funds, not to exceed \$550,000,  
21 authorized in Act 1185 of 1995 in the Department of Higher Education Fund  
22 Account on June 30, 1997, shall be carried forward for the biennial period  
23 ending June 30, 1999.

24

25 SECTION 31. From the appropriation and funding provided by Item 10 of  
26 Section 1 of Act 411 of 1997 for the provision of disaster assistance to  
27 Pulaski County, one half shall be used to rebuild the College Station  
28 Community Center in Pulaski County.

29

30 SECTION 32. Institutions of higher education are authorized to make a  
31 monthly contribution to partially defray the cost of life and health insurance  
32 for each employee of the institution. Institutions of higher education that  
33 do not participate in the plan provided by the Arkansas State Employee and  
34 Public School Personnel Board pursuant to Arkansas Code 21-5-401 et seq. shall  
35 not be subject to a maximum contribution limit.

1

2 SECTION 33. REGULAR SALARIES - CAPITOL ZONING DISTRICT COMMISSION.

3 There is hereby established for the Capitol Zoning District Commission for the  
 4 1997-99 biennium, the following maximum number of regular employees whose  
 5 ~~salaries shall be governed by the provisions of the Uniform Classification and~~  
 6 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all  
 7 laws amendatory thereto. Provided, however, that any position to which a  
 8 specific maximum annual salary is set out herein in dollars, shall be exempt  
 9 from the provisions of said Uniform Classification and Compensation Act. All  
 10 persons occupying positions authorized herein are hereby governed by the  
 11 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
 12 Code §21-5-101), or its successor.

				Maximum Annual		
				Maximum	Salary Rate	
				No. of	Fiscal Years	
Item	Class			Employees	1997-98	1998-99
No.	Code	Title				
<del>(1)</del>	<del>9821</del>	<del>SBS CAPITOL ZONING DISTRICT ADMR</del>		<del>1</del>	<del>\$52,094</del>	<del>\$53,552</del>
(2)		CAPITOL ZONING DIST. ASST. DIR.		1	\$36,000	\$37,008
(3)	R264	MANAGEMENT PROJECT ANALYST I		<u>1</u>		GRADE 18
		MAX. NO. OF EMPLOYEES		3		

21

22 SECTION 34. APPROPRIATIONS - CAPITOL ZONING DISTRICT

23 COMMISSION. There is hereby appropriated, to the Capitol Zoning District  
 24 Commission, to be payable from the State General Services Fund Account, for  
 25 personal services and operating expenses of the Capitol Zoning District  
 26 Commission, for the biennial period ending June 30, 1999, the following:

ITEM	FISCAL YEARS	
NO.	1997-98	1998-99
(01) REGULAR SALARIES	\$109,094	\$112,148
(02) PERSONAL SERV. MATCHING	27,274	28,037
(03) EXTRA HELP	10,000	10,000
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	25,000	25,000
(B) CONF. & TRAVEL	2,500	2,500
(C) PROF. FEES	50,000	0

35

1	(D) CAP. OUTLAY	25,000	0
2	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$248,868</u>	<u>\$177,685</u>

4

5 SECTION 35. Effective July 1, 1997, the Director of the Department of  
 6 Finance and Administration, as Chief Fiscal Officer of the State, shall  
 7 transfer all authority and responsibility of Arkansas State Building Services  
 8 and the Director of State Building Services with respect to the Capitol Zoning  
 9 District Commission to the Capitol Zoning District Commission and to the  
 10 Director of the Commission. The Commission and its staff shall be a separate  
 11 and distinct agency of government.

12

13 SECTION 36. Arkansas Code 22-3-303(c) is amended to read as follows:  
 14 (c) The Director of the ~~State Building Services~~ Capitol Zoning  
 15 District Commission shall serve as the disbursing officer for the Capitol  
 16 Zoning District Commission.

17

18 SECTION 37. Arkansas Code 22-3-202(e)(1) is amended to read as follows:  
 19 (1) ~~The Director of Arkansas State Building Services shall have the~~  
 20 ~~authority to hire the~~ Capitol Zoning District Commission is authorized to  
 21 employ a director and ~~professional~~ such other staff ~~of the Capitol Zoning~~  
 22 ~~District Commission. In hiring a Director of the Capitol Zoning District~~  
 23 ~~Commission, the Director of Arkansas State Building Services shall seek the~~  
 24 ~~advice of the Capitol Zoning District Commission.~~ as the Commission deems  
 25 appropriate and within legislative appropriation."

26

27 SECTION 38. APPROPRIATIONS - SCHOOL FOR MATHEMATICS AND SCIENCES.  
 28 There is hereby appropriated, to the Department of Education - General  
 29 Education Division, to be payable from the Public School Fund, for personal  
 30 services and operating expenses of the Department of Education - General  
 31 Education Division - School for Mathematics and Sciences which shall be  
 32 supplemental and in addition to those funds appropriated in Section 2 of Act  
 33 375 of 1995, the following:

34

35 ITEM FISCAL YEAR

1	NO.	1996-97
2	(01) EXTRA HELP	\$ 15,000
3	(02) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	250,000
5	(B) CONF. & TRVL.	0
6	(C) PROF. FEES	68,000
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 333,000</u>

10

11       SECTION 39. FUNDING TRANSFER. Immediately upon the effective date of  
 12 this Act, the Chief Fiscal Officer of the State shall transfer on his books  
 13 and those of the State Treasurer the sum of three hundred thirty three  
 14 thousand dollars (\$333,000) as a loan to be repaid by June 30, 1999, from the  
 15 Economic Development of Arkansas Fund to the Public School Fund to provide  
 16 funds for the appropriation provided herein.

17

18       SECTION 40. APPROPRIATIONS - SCHOOL DISTRICT MANAGEMENT AND STATEWIDE  
 19 DATA COLLECTION. There is hereby appropriated, to the Department of Education  
 20 - General Education Division, to be payable from the Department of Education  
 21 Fund Account, for payment on the loan received from the Arkansas Teacher  
 22 Retirement System, the sum of \$7, 941,403 in the fiscal year ending June 30,  
 23 1998 and \$2,900,293 in the Fiscal year ending June 30, 1999.

24

25       SECTION 41. FUNDING TRANSFER. The Chief Fiscal Officer of the State  
 26 shall transfer on his books and those of the State Treasurer the sum of ten  
 27 million eight hundred forty one thousand six hundred ninety seven dollars  
 28 (\$10,841,697) or so much thereof as is required from time to time from the  
 29 Economic Development of Arkansas Fund the Department of Education Fund Account  
 30 to provide funds for the appropriation provided herein for payment on the loan  
 31 received from the Teacher Retirement System. The fund transfer authorized by  
 32 this section shall be repaid to the Economic Development of Arkansas Fund from  
 33 the Public School Fund by June 30, 1999.

34

35       SECTION 42. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

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

9

10 SECTION 43. LEGISLATIVE INTENT. It is the intent of the General  
11 Assembly that any funds disbursed under the authority of the appropriations  
12 contained in this Act shall be in compliance with the stated reasons for which  
13 this Act was adopted, as evidenced by the Agency Requests, Executive  
14 Recommendations and Legislative Recommendations contained in the budget  
15 manuals prepared by the Department of Finance and Administration, letters, or  
16 summarized oral testimony in the official minutes of the Arkansas Legislative  
17 Council or Joint Budget Committee which relate to its passage and adoption.

18

19 SECTION 44. CODE. All provisions of this Act of a general and  
20 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the  
21 Arkansas Code Revision Commission shall incorporate the same in the Code.

22

23 SECTION 45. SEVERABILITY. If any provision of this Act or the  
24 application thereof to any person or circumstance is held invalid, such  
25 invalidity shall not affect other provisions or applications of the Act which  
26 can be given effect without the invalid provision or application, and to this  
27 end the provisions of this Act are declared to be severable.

28

29 SECTION 46. REAPPROPRIATION - REVENUE DIVISION. *There is hereby*  
30 *appropriated to the Department of Finance and Administration - Revenue*  
31 *Division, to be payable from the General Improvement Fund or its successor*  
32 *fund or fund accounts, the following:*

33 (A) *Effective July 1, 1997, the balance of the appropriation provided*  
34 *in item (A) of Section 4 of Act 691 of 1995, for a Motor Vehicle Information*  
35 *System, a sum not to exceed.....\$921,900.*

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SECTION 47. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 48. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-First General Assembly, that the appropriation and money provided in herein for the School for Mathematics and Sciences, College Station Community Center (Section 31) and the ability for the Department of Higher Education to carry forward balances (Section 30) must be made available during the current fiscal year. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety, Sections 38 and 39 of this Act (Math and Science Supplemental Appropriation and Funding), Section 30 (Higher Education Carryforward) and Section 31 (College Station Community Center) shall be in full force and effect from and after the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, those sections shall become effective on the expiration date of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, those sections shall become effective on the date the last house override the veto. The remaining sections of this Act shall become effective from and after July 1, 1997.

APPROVED: BECAME LAW WITHOUT GOVERNOR'S SIGNATURE.



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