

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 179 of 1999
HOUSE BILL 1156

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE STATE SECURITIES
11 DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2001; AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE STATE SECURITIES
16 DEPARTMENT APPROPRIATION FOR THE 1999-
17 2001 BIENNIUM."

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the State
23 Securities Department for the 1999-2001 biennium, the following maximum number
24 of regular employees whose salaries shall be governed by the provisions of the
25 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
26 seq.), or its successor, and all laws amendatory thereto. Provided, however,
27 that any position to which a specific maximum annual salary is set out herein
28 in dollars, shall be exempt from the provisions of said Uniform Classification
29 and Compensation Act. All persons occupying positions authorized herein are
30 hereby governed by the provisions of the Regular Salaries Procedures and
31 Restrictions Act (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
			1999-2000 2000-2001

JKA017

1	(1)	9921	SECURITIES COMMISSIONER	1	\$73,992	\$76,063
2	(2)	R038	ATTORNEY SUPERVISOR	1		GRADE 26
3	(3)	696Z	SECURITIES DEPUTY COMMISSIONER	1		GRADE 26
4	(4)	R170	ATTORNEY SPECIALIST	2		GRADE 25
5	(5)	R011	SECURITIES ASSISTANT COMMISSIONER	3		GRADE 25
6	(6)	070Z	SECURITIES CHIEF EXAMINER	1		GRADE 23
7	(7)	A044	SECURITIES EXAMINER SUPERVISOR	3		GRADE 22
8	(8)	A008	ACCOUNTING SUPERVISOR II	1		GRADE 21
9	(9)	A090	SECURITIES EXAMINER	10		GRADE 20
10	(10)	R010	ADMINISTRATIVE ASSISTANT II	3		GRADE 17
11	(11)	A108	ACCOUNTING TECHNICIAN II	1		GRADE 15
12	(12)	K117	MEDICAL OR LEGAL SECRETARY	2		GRADE 14
13	(13)	K153	SECRETARY II	1		GRADE 13
14	(14)	K039	DOCUMENT EXAMINER II	2		GRADE 12
15	(15)	K077	MICRO-PHOTOGRAPHER II	<u>1</u>		GRADE 09
16			MAX. NO. OF EMPLOYEES	33		

18 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
 19 Securities Department for the 1999-2001 biennium, the following maximum number
 20 of part-time or temporary employees, to be known as "Extra Help", payable from
 21 funds appropriated herein for such purposes: two (2) temporary or part-time
 22 employees, when needed, at rates of pay not to exceed those provided in the
 23 Uniform Classification and Compensation Act, or its successor, or this act for
 24 the appropriate classification.

26 SECTION 3. APPROPRIATION. There is hereby appropriated, to the State
 27 Securities Department, to be payable from the Securities Department Fund, for
 28 personal services and operating expenses of the State Securities Department
 29 for the biennial period ending June 30, 2001, the following:

31	ITEM	FISCAL YEARS	
32	<u>NO.</u>	<u>1999-2000</u>	<u>2000-2001</u>
33	(01) REGULAR SALARIES	\$ 1,252,271	\$ 1,287,333
34	(02) EXTRA HELP	12,000	12,000
35	(03) PERSONAL SERV MATCHING	329,105	335,350
36	(04) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	238,835	237,335
2	(B) CONF. & TRAVEL	8,100	8,100
3	(C) PROF. FEES	24,484	24,484
4	(D) CAP. OUTLAY	27,000	28,500
5	(E) DATA PROC.	0	0
6	(05) CONTINGENCY	200,000	200,000
7	(06) EXAMINATION TRAVEL	<u>7,500</u>	<u>7,500</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,099,295</u>	<u>\$ 2,140,602</u>

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10 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 11 State Securities Department, to be payable from cash funds as defined by
 12 Arkansas Code 19-4-801 of the State Securities Department, for refunds /
 13 transfers to the State Treasury by the State Securities Department for the
 14 biennial period ending June 30, 2001, the following:

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16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>1999-2000</u>	<u>2000-2001</u>
18	(01) REFUNDS/TRANSFERS TO TREASURY	\$ <u>12,000,000</u>	\$ <u>12,000,000</u>

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20 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 21 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONTINGENCY
 22 RESTRICTION. In the event additional appropriations become necessary that are
 23 not authorized or contemplated in Section 3 of this Act and specific cases,
 24 situations, and/or programs make it necessary that the State Securities
 25 Department receives additional appropriations to carry out the objectives of
 26 the agency, the Securities Commissioner is hereby authorized to request the
 27 approval of the Governor and the Chief Fiscal Officer of the State for
 28 transfers of the appropriations provided in the Contingency line item of
 29 Section 3 of this Act to other line items within Section 3. In no event shall
 30 the transfers in any fiscal year exceed the appropriations provided in the
 31 Contingency line item of Section 3 of this Act. The Governor may approve or
 32 modify such request for transfer of appropriations as in his judgment he deems
 33 necessary, and shall inform the Chief Fiscal Officer of the State. Upon
 34 notification, the Chief Fiscal Officer of the State shall direct the State
 35 Auditor to process said transfer upon his books in accordance with the
 36 provisions as set out herein.

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

SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 8. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 9. SEVERABILITY. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that

1 the effectiveness of this Act on July 1, 1999 is essential to the operation of
2 the agency for which the appropriations in this Act are provided, and that in
3 the event of an extension of the Regular Session, the delay in the effective
4 date of this Act beyond July 1, 1999 could work irreparable harm upon the
5 proper administration and provision of essential governmental programs.
6 Therefore, an emergency is hereby declared to exist and this Act being
7 necessary for the immediate preservation of the public peace, health and
8 safety shall be in full force and effect from and after July 1, 1999.

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11 APPROVED: 2/19/1999
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