

**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.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: S3/29/01*

## **A Bill**

**Act 1308 of 2001**  
**SENATE BILL 393**

5 By: Joint Budget Committee  
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### **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE ARKANSAS CODE REVISION  
11 COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 2003; AND FOR OTHER PURPOSES.  
13  
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### **Subtitle**

15 AN ACT FOR THE ARKANSAS CODE REVISION  
16 COMMISSION - BIENNIAL OPERATIONS  
17 APPROPRIATION FOR THE 2001-2003  
18 BIENNIAL.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 *SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas*  
25 *Code Revision Commission for the 2001-2003 biennium, the following maximum*  
26 *number of regular employees, the grades to be assigned to the respective*  
27 *positions, and the maximum annual salaries for each such position. The*  
28 *maximum annual salary for the position assigned to grades shall be determined*  
29 *in accordance with, but shall not exceed the maximum annual amount for the*  
30 *grade assigned herein, as established in Arkansas Code 21-5-209. Except for*  
31 *the purpose of determining the maximum annual salary rate, which is to be*  
32 *applicable to each of the positions to which a salary grade is assigned*  
33 *hereinafter, in accordance with the provisions of Arkansas Code 21-5-209, all*  
34 *positions set forth herein shall be exempt from other provisions of the*  
35 *Uniform Classification and Compensation Act, or its successor, but shall not*  
36 *be exempt from the provisions of the Regular Salaries Procedures and*

1 *Restrictions Act, or its successor.*

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			<i>Maximum Annual</i>		
			<i>Maximum</i>	<i>Salary Rate</i>	
<i>Item Class</i>			<i>No. of</i>	<i>Fiscal Years</i>	
<i>No.</i>	<i>Code</i>	<i>Title</i>	<i>Employees</i>	<i>2001-2002</i>	<i>2002-2003</i>
	(1)	7509 ARK CODE REVISION COMM EXEC DIR	1	\$65,000	\$66,690
	(2)	R170 ATTORNEY SPECIALIST	4	GRADE 25	
	(3)	N375 PROOF EDITOR	2	GRADE 17	
	(4)	R010 ADMINISTRATIVE ASSISTANT II	<u>2</u>	GRADE 17	
		MAX. NO. OF EMPLOYEES	9		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Code Revision Commission for the 2001-2003 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: *six (6)* temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Arkansas Code Revision Commission, to be payable from the State Central Services Fund, for personal services and operating expenses of the Arkansas Code Revision Commission for the biennial period ending June 30, 2003, the following:

<i>ITEM</i>		<i>FISCAL YEARS</i>	
<i>NO.</i>		<i>2001-2002</i>	<i>2002-2003</i>
(01)	REGULAR SALARIES	\$ 316,308	\$ 324,532
(02)	EXTRA HELP	17,000	17,000
(03)	PERSONAL SERV MATCHING	84,053	85,510
(04)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	73,736	73,736
(B)	CONF. & TRAVEL	4,000	4,000
(C)	PROF. FEES	0	0
(D)	CAP. OUTLAY	48,000	1,000

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 543,097</u>	<u>\$ 505,778</u>

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4 SECTION 4. APPROPRIATION - BUDGET SAVINGS. There is hereby appropriated, to  
5 the Arkansas Code Revision Commission, to be payable from revenues collected  
6 and transferred to the State Central Services Fund as direct revenue as set  
7 out in Section 10 of this Act, for personal services and operating expenses of  
8 the Arkansas Code Revision Commission, the sum of .....\$0.

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10 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
11 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
12 AUTHORITY. The Arkansas Code Revision Commission may transfer appropriation  
13 and funds as needed from the Budget Savings Appropriation in Section 4 to any  
14 line item in the Operations Appropriation in Section 3 of this Act.

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16 SECTION 6. SPECIAL LANGUAGE. Arkansas Code 1-2-305 is repealed.  
17 ~~1-2-305. Arkansas Code Revision Fund.~~  
18 ~~—There is established on the books of the Treasurer of State, the Auditor of~~  
19 ~~State, and the Chief Fiscal Officer of the state a fund to be known as the~~  
20 ~~"Arkansas Code Revision Fund" which shall consist of those moneys as provided~~  
21 ~~by law. The Arkansas Code Revision Fund shall be used for the maintenance,~~  
22 ~~operation, support, and improvement required by the Arkansas Code Revision~~  
23 ~~Commission in carrying out the powers, functions, and duties imposed upon it~~  
24 ~~as set out by this subchapter.~~

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26 SECTION 7. SPECIAL LANGUAGE. Arkansas Code 19-5-1079 is repealed.  
27 ~~19-5-1079. Arkansas Code Revision Fund.~~  
28 ~~—(a) There is hereby established on the books of the Treasurer of State,~~  
29 ~~Auditor of State, and Chief Fiscal Officer of the State a fund to be known as~~  
30 ~~the Arkansas Code Revision Fund.~~  
31 ~~(b) This fund shall consist of those moneys transferred or deposited from the~~  
32 ~~State Administration of Justice Fund, there to be used for the maintenance,~~  
33 ~~operation, support, and improvement required by the Arkansas Code Revision~~  
34 ~~Commission in carrying out the powers, functions, and duties imposed upon them~~  
35 ~~as set out in § 1-2-303.~~

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SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. On July 1, 2001 any remaining fund balance in the Arkansas Code Revision Fund shall be transferred to the State Central Service Fund as direct revenue for the Arkansas Code Revision Commission.

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF ALLOCATION. Funds allocated for the Arkansas Code Revision Commission from the State Administration of Justice Fund shall be transferred or deposited into the State Central Services Fund as direct revenue for the Arkansas Code Revision Commission, in lieu of transfer or deposit for the Arkansas Code Revision Fund.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BUDGET SAVINGS TRANSFER. (a) Due to savings from receiving free sets of the Arkansas Code of 1987 Annotated, each Agency or Officer shall transfer or deposit the following funds and appropriations each fiscal year of the 2001-2003 biennium to the Arkansas Code Revision Commission:

<u>AGENCY/OFFICER</u>	<u>TRANSFERRED FROM</u>	<u>TRANSFERRED TO</u>	<u>AMOUNT</u>
<u>Supreme Court</u>	<u>Operating Expense</u>	<u>State Central Services</u>	<u>\$ 8,056</u>
<u>Supr. Ct.</u>	<u>Library Operating Expense</u>	<u>State Central Services</u>	<u>\$ 488</u>
<u>Court of Appeals</u>	<u>Operating Expense</u>	<u>State Central Services</u>	<u>\$ 2,267</u>
<u>Circuit Judges</u>	<u>Gen. Rev. to Counties</u>	<u>County Aid</u>	<u>\$21,348</u>
<u>by the State Treasurer</u>			
<u>Pros. Attorneys</u>	<u>Gen. Rev. to Counties</u>	<u>County Aid</u>	<u>\$ 5,290</u>
<u>by the State Treasurer</u>			
<u>Legislative Audit</u>	<u>Operating Expense</u>	<u>State Central Services</u>	<u>\$ 488</u>
<u>Bur of Legis. Res.</u>	<u>Operating Expense</u>	<u>State Central Services</u>	<u>\$ 6,923</u>
<u>Governor's Office</u>	<u>Operating Expense</u>	<u>State Central Services</u>	<u>\$ 488</u>
<u>Lt. Governor</u>	<u>Operating Expense</u>	<u>State Central Services</u>	<u>\$ 488</u>
<u>Sec. Of State</u>	<u>Operating Expense</u>	<u>State Central Services</u>	<u>\$ 488</u>
<u>Treasure of State</u>	<u>Operating Expense</u>	<u>State Central Services</u>	<u>\$ 488</u>
<u>State Auditor</u>	<u>Operating Expense</u>	<u>State Central Services</u>	<u>\$ 488</u>

1 Land Commissioner Operating Expense State Central Services \$ 488  
 2 Attorney General Operating Expense State Central Services \$ 488  
 3 Pros. Coordinator Operating Expense State Central Services \$ 488  
 4 DFA-Budget Office Operating Expense State Central Services \$ 488  
 5 DFA-Revenue Operating Expense State Central Services \$ 488  
 6 DFA-Dir. Office Operating Expense State Central Services \$ 488  
 7 UALR-Law School Operating Expense UofA at Little Rock \$ 488  
 8 UAF-Law School Operating Expense University of Ark. \$ 488  
 9 House of Rep. Operating Expense State Central Services \$ 488  
 10 Arkansas Senate Operating Expense State Central Services \$ 488  
 11 Ed.-State Library Operating Expense State Library \$ 488  
 12 (b) The Chief Fiscal Officer of the State shall make the necessary adjustments  
 13 on his books and the books of the Auditor of the State for the transfer or  
 14 deposit of the funds from each Officer or Agency as listed herein to Section 4  
 15 of this Act as direct revenue to the State Central Services Fund for each  
 16 fiscal year of the 2001-2003 biennium for the Arkansas Code Revision  
 17 Commission.

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19 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 20 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GENERAL REVENUE  
 21 TRANSFER. The Chief Fiscal Officer of the State and State Treasurer shall  
 22 transfer the sum of three hundred sixty thousand nine hundred and twenty seven  
 23 dollars (\$360,927) for the fiscal year ending June 30, 2002, and three hundred  
 24 seventy five thousand four hundred and sixty four dollars (\$375,464) for the  
 25 fiscal year ending June 30, 2003, from the State General Services Fund Account  
 26 to the State Central Services Fund as a direct revenue for the Arkansas Code  
 27 Revision Commission there to be used for such purposes as appropriated in  
 28 Section 3 herein.

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30 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CODE  
 32 REVISION COMMISSION OVERSIGHT. (a) The Director of the Bureau of Legislative  
 33 Research, or a Bureau employee designated by the Director, shall be the  
 34 disbursing officer for the funds appropriated by this act.

35 (b) The Director, or a Bureau employee designated by the Director, shall  
 36 maintain all personnel records of the Commission.

1 (c) When the Director contracts for an audit of the Bureau, he or she shall  
2 include in the contract a financial audit of the commission with a  
3 proportional cost to be borne by the Commission except that the Bureau shall  
4 bear the cost in excess of funds available to the Commission for that purpose.

5 (d) By September 1<sup>st</sup> of each year, the Director, or a Bureau employee  
6 designated by the Director, shall evaluate the staff of the Code Revision  
7 Commission, reporting any problems to the Code Revision Commission.

8 The provisions of this section shall be in effect only from July 1, 2001  
9 through June 30, 2003.

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11 SECTION 13. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
12 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
13 appropriations as provided in this Act, the agency disbursing officer shall  
14 monitor the level of fund balances in relation to expenditures on a monthly  
15 basis. If any proposed expenditures would cause a fund balance to decline to  
16 less than fifty percent (50%) of the balance available on July 1, 2001, the  
17 disbursing officer shall immediately notify the executive head of the agency.

18 Prior to any obligations being made under these circumstances, the agency  
19 head shall file written documentation with the Chief Fiscal Officer of the  
20 State requesting approval of the expenditures. Such documentation shall  
21 provide sufficient financial data to justify the expenditures and shall  
22 include the following:

- 23 1) a plan that clearly indicates the specific fiscal impact of such  
24 expenditures on the fund balance.  
25 2) information clearly indicating and explaining what programs would be cut or  
26 any other measures to be taken by the agency to restore the fund balance.  
27 3) the extent to which any of the planned expenditures are for one-time costs  
28 or one-time purchase of capitalized items.  
29 4) a statement certifying that the expenditure of fund balances will not  
30 jeopardize the financial health of the agency, nor result in a permanent  
31 depletion of the fund balance.

32 (B) The Chief Fiscal Officer of the State shall review the request and  
33 approve or disapprove all or any part of the request, after having sought  
34 prior review by the Legislative Council.

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36 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

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

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

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19 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General  
20 Assembly, that the Constitution of the State of Arkansas prohibits the  
21 appropriation of funds for more than a two (2) year period; that the  
22 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
23 agency for which the appropriations in this Act are provided, and that in the  
24 event of an extension of the Regular Session, the delay in the effective date  
25 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
26 administration and provision of essential governmental programs. Therefore, an  
27 emergency is hereby declared to exist and this Act being necessary for the  
28 immediate preservation of the public peace, health and safety shall be in full  
29 force and effect from and after July 1, 2001.

30 /s/ Joint Budget Committee  
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33 APPROVED: 4/5/2001  
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