

State of Arkansas
 76th General Assembly
 Regular Session, 1987
 By: Sen. Gibson

SENATE BILL 213

As engrossed 2-3-87 As engrossed 2-25-87

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF A CENTRALIZED FILING SYSTEM IN THE OFFICE OF THE SECRETARY OF STATE TO PROVIDE NOTICE OF FINANCING STATEMENTS IN COMPLIANCE WITH THE FOOD SECURITY ACT OF 1985; AND FOR OTHER PURPOSES."

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Secretary of State, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item	Class	No. of	Maximum Annual			
			Salary Rate			
No.	Code	Title	Employees	1986-87	1987-88	1988-89
(1)		PROGRAMMER ANALYST	1	\$24,800	\$24,800	\$24,800
(2)		UCC CLERK	3	\$11,821	\$11,821	\$11,821
		MAX NO. OF EMPLOYEES	4			

SECTION 2. EXTRA HELP. There is hereby authorized, for the Secretary of State, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such pur-

poses: 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, for the appropriate classification.

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Office of the Secretary of State, to be payable from cash funds generated from the provisions of Section 9-407 of Act 185 of 1961, as amended [Ark. Stats. 85-9-407], for personal services and operating expenses of a centralized filing system for farm liens in the Office of Secretary of State for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 60,263	\$ 60,263
(02) EXTRA HELP	25,000	0
(03) PERSONAL SERVICES MATCHING	12,561	12,561
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 15,000	\$ 15,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	12,500	12,500
(E) DATA PROCESSING	_____0	_____0
TOTAL MAINT. & GEN. OPER.	27,500	27,500
(05) REFUNDS	_____100,000	_____100,000
TOTAL AMOUNT APPROPRIATED	\$ 225,324	\$ 200,324

SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the Office of the Secretary of State, to be payable from cash funds generated from the provisions of Section 9-407 of Act 185 of 1961, as amended [Ark. Stats. 85-9-407], for personal services and operating expenses of a centralized filing system for farm liens in the Office of the Secretary of State for the fiscal year ending June 30, 1987, the following:

ITEM	FISCAL YEAR
No. _____	1986-87 _____
(01) REGULAR SALARIES	\$ 25,110
(02) EXTRA HELP	15,000

(03) PERSONAL SERVICES MATCHING		5,234
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 17,000	
(B) CONF. & TRAVEL	0	
(C) PROF. FEES	0	
(D) CAPITAL OUTLAY	36,500	
(E) DATA PROCESSING	<u>0</u>	
TOTAL MAINT. & GEN. OPER.		53,500
(05) REFUNDS		<u>50,000</u>
TOTAL AMOUNT APPROPRIATED		\$ 148,844

SECTION 5. REPORTING REQUIREMENTS. The office of the Secretary of State shall provide a quarterly report reflecting expenditures made from the appropriations provided herein to the Arkansas Legislative Council. Provided, further, that any requests made to the Chief Fiscal Officer of the State for additional cash fund appropriation shall also be submitted to the Legislative Council for its review and advice.

SECTION 6. Livestock buyers and livestock sale barns are hereby exempted from the provisions of Act 16 of the Second Extraordinary Session of the Seventy-Fifth General Assembly.

SECTION 7. Subsection (7) of Section 9-407 of Act 185 of 1961, as amended, the same being Arkansas Statute Section 85-9-407 (7), is hereby amended to read as follows:

"(7) The Secretary of State shall charge a fee of \$30.00 for each registration under Subsection (4) of this section, shall charge a fee of \$10.00 for each confirmation provided for in subsection (6) of this section, and shall charge a maximum fee of \$100.00 per list annually on each list mailed pursuant to subsection (5) of this section. The fees in Subsection (2) of Section 9-407 and in this subsection (subsection (7) of Section 9-407) shall be deposited into a fund to be known as the Secretary of State Lien Fund to be maintained in accounts in one or more financial institutions in the State of Arkansas and shall be expended exclusively for personal services and operating expenses of a centralized filing system for farm liens in the Office

of the Secretary of State. Beginning at the end of the 1987-88 fiscal year, any balance which remains at the end of a fiscal year, less an amount which equals one-twelfth (1/12) of the amount of actual expenditures for the fiscal year just ended, as certified to the Chief Fiscal Officer of the State, shall be paid into the State Treasury by check to the credit of the Constitutional and Fiscal Agencies Fund, or its successor.

SECTION 8. 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 9. 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 10. CONTRACT RESTRICTIONS. The agency, board, commission, department or institution to whom funds are appropriated by this Act shall not enter into any contract for any professional or consultant services which shall extend for more than twenty (20) actual working days or the total compensation exceeds five thousand dollars (\$5,000) during any one fiscal year without first seeking the advice of the Arkansas Legislative Council. Provided further, that all contracts for professional or consultant services shall be submitted monthly to the Chief Fiscal Officer of the State for reporting to the Legislative Council.

SECTION 11. Subsection (2) of Section 9-407 of Act 185 of 1961, as amended, the same being Arkansas Statute Section 85-9-407(2), is hereby amended to read as follows:

"(2) Upon request of any person, the filing officer shall issue his certificate showing whether there is on file on the date and hour stated therein any presently effective financing statement naming a particular debtor and any statement of assignment thereof and if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party named therein. The fee for such a certificate shall not exceed \$5.00. Upon request the filing officer shall furnish a copy of any filed financing statement, continuation statement, termination statement, statement of assignment or statement of release for a fee of \$5.00 and, if such statement consists of more than three pages, an additional fee of \$1.00 for the fourth and each succeeding page."

SECTION 12. It is hereby found and determined by the Seventy-Sixth General Assembly that the immediate implementation of a centralized filing system for farm liens in the Office of the Secretary of State, and associated operating costs of such system, is required; and that the appropriations provided in this Act will allow for such implementation. 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 its passage and approval.

/s/ Gibson

