

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

5

6

7

A Bill

HOUSE BILL

1245

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE SECURITIES DEPARTMENT FOR
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER
11 PURPOSES."

12

13

Subtitle

14

15

16

17

"AN ACT FOR THE STATE SECURITIES
DEPARTMENT APPROPRIATION FOR THE 1995-97
BIENNIUM."

18

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

19

20

SECTION 1. REGULAR SALARIES. There is hereby established for the

21

State Securities Department for the 1995-97 biennium, the following maximum

22

number of regular employees whose salaries shall be governed by the

23

provisions of the Uniform Classification and Compensation Act (Arkansas Code

24

§§21-5-201 et seq.), or its successor, and all laws amendatory thereto.

25

Provided, however, that any position to which a specific maximum annual

26

salary is set out herein in dollars, shall be exempt from the provisions of

27

said Uniform Classification and Compensation Act. All persons occupying

28

positions authorized herein are hereby governed by the provisions of the

29

Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),

30

or its successor.

31

32

Maximum Annual

33

Maximum

Salary Rate

34

Item Class

No. of

Fiscal Years

35

No. Code Title

Employees

1995-96

1996-97

1	(1) 9921 SECURITIES COMMISSIONER	1	\$ 63,291	\$
2	64,873			
3	(2) 696Z SECURITIES DEPUTY COMMISSIONER	1		GRADE 26
4	R038 ATTORNEY SUPERVISOR	1		
5	(3) R011 SECURITIES ASSISTANT COMMISSIONER	3		GRADE 25
6	R170 ATTORNEY SPECIALIST	2		
7	(4) 070Z SECURITIES CHIEF EXAMINER	1		GRADE 23
8	(5) A044 SECURITIES EXAMINER SUPERVISOR	3		GRADE 22
9	(6) A090 SECURITIES EXAMINER	10		GRADE 20
10	A006 ACCOUNTING SUPERVISOR I	1		
11	(7) R010 ADMINISTRATIVE ASSISTANT II	2		GRADE 17
12	(8) A108 ACCOUNTING TECHNICIAN II	1		GRADE 15
13	R009 ADMINISTRATIVE ASSISTANT I	1		
14	(9) K117 MEDICAL OR LEGAL SECRETARY	2		GRADE 14
15	(10) K039 DOCUMENT EXAMINER II	2		GRADE 12
16	(11) K155 SECRETARY I	1		GRADE 11
17	(12) K075 MICRO-PHOTOGRAPHER I	<u>1</u>		GRADE 07
18				
18	MAX NO. OF EMPLOYEES	33		

19

20 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
 21 Securities Department for the 1995-97 biennium, the following maximum number
 22 of part-time or temporary employees, to be known as "Extra Help", payable
 23 from funds appropriated herein for such purposes: two (2) temporary or
 24 part-time employees, when needed, at rates of pay not to exceed those
 25 provided in the Uniform Classification and Compensation Act, or its
 26 successor, or this act for the appropriate classification.

27

28 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State
 29 Securities Department, to be payable from the Securities Department Fund, for
 30 personal services and operating expenses of the State Securities Department
 31 ~~for the biennial period ending June 30, 1997, the following:~~

32

33	ITEM	FISCAL YEARS	
34	NO.	1995-96	1996-97
35	(01) REGULAR SALARIES	\$ 1,020,086	\$

1	1,020,146		
2	(02) EXTRA HELP		12,000
3	12,000		
4	(03) PERSONAL SERV MATCHING		269,509
5	269,519		
6	(04) MAINT. & GEN. OPERATION		
7	(A) OPER. EXPENSE \$	225,835 \$	225,835
8	(B) CONF. & TRVL.	5,100	5,100
9	(C) PROF. FEES	24,484	24,484
10	(D) CAP. OUTLAY	44,000	44,000
11	(E) DATA PROC.	<u>0</u>	<u>0</u>
12	TOTAL MAINT. & GEN. OPER.		299,419
13	299,419		
14	(05) CONTINGENCY		200,000
15	200,000		
16	(06) EXAMINATION TRAVEL		<u>7,500</u>
17	<u>7,500</u>	<hr/>	
18	TOTAL AMOUNT APPROPRIATED		<u>\$ 1,808,514 \$</u>
19	<u>1,808,584</u>		

20

21 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the State

22 Securities Department, to be payable from cash funds as defined by Arkansas

23 Code 19-4-801 of the State Securities Department, for refunds of overpayments

24 and transfers to the State Treasury for the biennial period ending June 30,

25 1997, the following:

26			
27	ITEM	FISCAL YEARS	
28	NO.	1995-96	1996-97
29	(01) REFUNDS/TRANSFERS TO TREASURY	<u>\$ 9,750,000</u>	<u>\$</u>
30	<u>9,750,000</u>		

31

32 SECTION 5. All revenues received from administrative fines shall be

33 deposited into the fund account from which the Arkansas Securities Department

34 receives its maintenance and support as special revenues. Such revenues

35 received, up to a maximum of \$200,000, in each fiscal year, may be used for

1 rental of hearing rooms and to contract for legal, accounting, and other
2 appropriate assistance in addition to that available from the Department's
3 regular staff in specific cases and situations as deemed necessary by the
4 Securities Commissioner.

5

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

15

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

24

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

28

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

34

35 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict

1 with this Act are hereby repealed.

2

3 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by
4 the Eightieth General Assembly, that the Constitution of the State of
5 Arkansas prohibits the appropriation of funds for more than a two (2) year
6 period; that the effectiveness of this Act on July 1, 1995 is essential to
7 the operation of the agency for which the appropriations in this Act are
8 provided, and that in the event of an extension of the Regular Session, the
9 delay in the effective date of this Act beyond July 1, 1995 could work
10 irreparable harm upon the proper administration and provision of essential
11 governmental programs. Therefore, an emergency is hereby declared to exist
12 and this Act being necessary for the immediate preservation of the public
13 peace, health and safety shall be in full force and effect from and after
14 July 1, 1995.