

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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# A Bill

SENATE BILL

145

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO PROVIDE FOR ANNUAL  
9 CAREER RECOGNITION PAYMENTS TO CLASSIFIED EMPLOYEES OF  
10 STATE AGENCIES FOR THE DEPARTMENT OF FINANCE AND  
11 ADMINISTRATION - DISBURSING OFFICER FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 1997; AND FOR OTHER PURPOSES."

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## Subtitle

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"AN ACT FOR THE DEPARTMENT OF FINANCE  
AND ADMINISTRATION - DISBURSING OFFICER  
APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

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SECTION 1. APPROPRIATIONS . There is hereby appropriated, to the  
Department of Finance and Administration - Disbursing Officer, to be payable  
from the Merit Adjustment Fund, for the purpose of providing annual career  
service recognition payments to classified employees of state agencies for  
the biennial period ending June 30, 1997, the following:

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27 ITEM

FISCAL YEARS

28 NO.

1995-96

1996-97

29 (01) CAREER RECOGNITION PAYMENTS

\$ 4,898,511

\$

30 5,312,716

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SECTION 2. APPROPRIATION TRANSFER PROCEDURES. In the event that  
sufficient appropriation has not been provided for the payment of Career  
Recognition Payments for any state agency or institution due to the enactment  
of this Act or any other act approved by the Eightieth General Assembly which  
raises the compensation level of state employees, the agency or institution

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

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17       SECTION 3. Funding for the appropriation transfers authorized by this  
18 Act, or for any part thereof, for those state agencies which are supported in  
19 whole or in part from general revenues, shall, if required, be provided by a  
20 transfer from the Merit Adjustment Fund to the proper fund or fund account  
21 and in such amounts as determined by the Chief Fiscal Officer of the State.  
22 The State Agencies shall, in addition to the funds provided in this Act for  
23 Annual Career Service Recognition Payments from the Merit Adjustment Fund,  
24 make available any funding generated from agency salary savings for such  
25 purposes from the funds or fund accounts as provided by law.

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27       SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
28 authorized by this Act shall be limited to the appropriation for such agency  
29 and funds made available by law for the support of such appropriations; and  
30 the restrictions of the State Purchasing Law, the General Accounting and  
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
32 Procedures and Restrictions Act, or their successors, and other fiscal  
33 control laws of this State, where applicable, and regulations promulgated by  
34 the Department of Finance and Administration, as authorized by law, shall be  
35 strictly complied with in disbursement of said funds.

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SECTION 5. 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 6. 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 7. 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 8. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. 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 July 1, 1995.

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