

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1242

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE STATE SECURITIES DEPARTMENT FOR
11 THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR OTHER
12 PURPOSES."

Subtitle

15 "AN ACT FOR THE STATE SECURITIES
16 DEPARTMENT APPROPRIATION FOR THE 1997-99
17 BIENNIUM."

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. REGULAR SALARIES. There is hereby established for the State
22 Securities Department for the 1997-99 biennium, the following maximum number
23 of regular employees whose salaries shall be governed by the provisions of the
24 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
25 seq.), or its successor, and all laws amendatory thereto. Provided, however,
26 that any position to which a specific maximum annual salary is set out herein
27 in dollars, shall be exempt from the provisions of said Uniform Classification
28 and Compensation Act. All persons occupying positions authorized herein are
29 hereby governed by the provisions of the Regular Salaries Procedures and
30 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	1997-98	1998-99
35	No. Code Title	Employees		1997-98	1998-99
36	(1) 9921 SECURITIES COMMISSIONER	1	\$ 68,420	\$ 70,335	

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

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18 SECTION 2. EXTRA HELP. There is hereby authorized, for the State

19 Securities Department for the 1997-99 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.

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26 SECTION 3. APPROPRIATIONS. 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, 1999, the following:

31 ITEM	32 FISCAL YEARS	
	1997-98	1998-99
33 (01) REGULAR SALARIES	\$ 1,180,468	\$ 1,212,661
34 (02) EXTRA HELP	12,000	12,000
35 (03) PERSONAL SERV MATCHING	309,187	315,022

1	(04) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	225,835	229,335
3	(B) CONF. & TRVL.	5,100	5,100
4	(C) PROF. FEES	24,484	24,484
5	(D) CAP. OUTLAY	25,000	25,000
6	(E) DATA PROC.	0	0
7	(05) CONTINGENCY	200,000	200,000
8	(06) EXAMINATION TRAVEL	<u>7,500</u>	<u>7,500</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,989,574</u>	<u>\$ 2,031,102</u>

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11 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 12 State Securities Department, to be payable from cash funds as defined by
 13 Arkansas Code 19-4-801 of the State Securities Department, for
 14 refunds/transfers to the State Treasury for the biennial period ending June
 15 30, 1999, the following:

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17	ITEM	FISCAL YEARS	
18	NO.	1997-98	1998-99
19	(01) REFUNDS/TRANSFERS TO TREASURY	<u>\$ 12,000,000</u>	<u>\$ 12,000,000</u>

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21 SECTION 5. SPECIAL LANGUAGE - CONTINGENCY RESTRICTION. In the event
 22 additional appropriations become necessary that are not authorized or
 23 contemplated in Section 3 of this Act and specific cases, situations, and/or
 24 programs make it necessary that the State Securities Department receives
 25 additional appropriations to carry out the objectives of the agency, the
 26 Securities Commissioner is hereby authorized to request the approval of the
 27 Governor and the Chief Fiscal Officer of the State for transfers of the
 28 appropriations provided in the Contingency line item of Section 3 of this Act
 29 to other line items within Section 3. In no event shall the transfers in any
 30 fiscal year exceed the appropriations provided in the Contingency line item of
 31 Section 3 of this Act. The Governor may approve or modify such request for
 32 transfer of appropriations as in his judgment he deems necessary, and shall
 33 inform the Chief Fiscal Officer of the State. Upon notification, the Chief
 34 Fiscal Officer of the State shall direct the State Auditor to process said
 35 transfer upon his books in accordance with the provisions as set out herein.

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

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

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

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

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

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34 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
35 Eighty-First General Assembly, that the Constitution of the State of Arkansas

1 prohibits the appropriation of funds for more than a two (2) year period; that
2 the effectiveness of this Act on July 1, 1997 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the Regular Session, the delay in the effective
5 date of this Act beyond July 1, 1997 could work irreparable harm upon the
6 proper administration and provision of essential governmental programs.
7 Therefore, an emergency is hereby declared to exist and this Act being
8 necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 1997.

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