

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: H3/30/01

A Bill

HOUSE BILL 1578

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

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

Subtitle

14 AN ACT FOR THE ARKANSAS PUBLIC SERVICE
15 COMMISSION APPROPRIATION FOR THE
16 2001-2003 BIENNIUM.
17
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - UTILITIES DIVISION. There is hereby
24 established for the Arkansas Public Service Commission - Utilities Division
25 for the 2001-2003 biennium, the following maximum number of regular employees
26 whose salaries shall be governed by the provisions of the Uniform
27 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its
28 successor, and all laws amendatory thereto. Provided, however, that any
29 position to which a specific maximum annual salary is set out herein in
30 dollars, shall be exempt from the provisions of said Uniform Classification
31 and Compensation Act. All persons occupying positions authorized herein are
32 hereby governed by the provisions of the Regular Salaries Procedures and
33 Restrictions Act (Arkansas Code §21-5-101), or its successor.
34

35
36
Maximum Annual
Maximum Salary Rate

| 1 | Item Class | | | No. of Empl oyees | Fi scal Years | |
|----|------------|----------|---|----------------------|---------------|-----------|
| | 2 | No. Code | Ti tle | | 2001-2002 | 2002-2003 |
| 3 | (1) | 9993 | PSC CHAI RMAN | 1 | \$93,830 | \$96,269 |
| 4 | (2) | 9994 | PSC COMMI SSIONER | 2 | \$90,421 | \$92,771 |
| 5 | (3) | 9907 | PSC DI RECTOR | 1 | \$89,926 | \$92,264 |
| 6 | (4) | 9745 | PSC CHI EF COUNSEL | 1 | \$87,492 | \$89,766 |
| 7 | (5) | 9746 | PSC CHI EF ADMIN LAW JUDGE | 1 | \$87,492 | \$89,766 |
| 8 | (6) | 9748 | PSC DI RECTOR RESEARCH & MGMT SVCS | 1 | \$85,459 | \$87,680 |
| 9 | (7) | 8040 | PSC CHI EF OF AUDITS | 1 | \$85,459 | \$87,680 |
| 10 | (8) | 9741 | PSC ADMINI STRATIVE LAW JUDGE | 3 | \$75,958 | \$77,932 |
| 11 | (9) | 827Z | DP CENTER MANAGER | 1 | | GRADE 26 |
| 12 | (10) | 016Z | PSC DIR OF ELECTRIC UTI LI TIES SECT | 1 | | GRADE 26 |
| 13 | (11) | 063Z | PSC GENERAL COUNSEL | 1 | | GRADE 26 |
| 14 | (12) | R170 | ATTORNEY SPECI ALI ST | 9 | | GRADE 25 |
| 15 | (13) | 984Z | PSC TELECOMM UTI LI TIES SEC MGR | 1 | | GRADE 25 |
| 16 | (14) | A200 | PSC OPERATIONS MANAGER | 1 | | GRADE 24 |
| 17 | (15) | A198 | PSC SENI OR RATE CASE ANALYST | 5 | | GRADE 24 |
| 18 | (16) | R050 | PUBLI C SERVI CE COMM RURAL LI ASON | 1 | | GRADE 24 |
| 19 | (17) | A254 | PUBLI C UTI LI TY AUDIT MANAGER | 1 | | GRADE 24 |
| 20 | (18) | 055Z | DP MANAGER | 1 | | GRADE 23 |
| 21 | (19) | R480 | PSC CHI EF, QUALI TY OF SERVI CE | 1 | | GRADE 23 |
| 22 | (20) | X456 | PSC RATE CASE ENGI NEER | 3 | | GRADE 22 |
| 23 | (21) | A072 | PUBLI C UTI LI TY AUDI TOR SUPERVI SOR | 7 | | GRADE 22 |
| 24 | (22) | A116 | RATE ANALYST III | 9 | | GRADE 21 |
| 25 | (23) | D036 | SR PROGRAMMER/ANALYST | 1 | | GRADE 21 |
| 26 | (24) | A006 | ACCOUNTING SUPERVI SOR I | 1 | | GRADE 20 |
| 27 | (25) | R133 | AGENCY DI RECTOR RESEARCH & STATS | 1 | | GRADE 20 |
| 28 | (26) | A076 | PUBLI C UTI LI TY AUDI TOR II | 7 | | GRADE 20 |
| 29 | (27) | D121 | USER SUPPORT ANALYST | 1 | | GRADE 20 |
| 30 | (28) | K188 | PSC MANAGER, COMM DOCKETS | 1 | | GRADE 19 |
| 31 | (29) | X438 | PSC UTI LI TY SERVI CES SUPERVI SOR | 1 | | GRADE 19 |
| 32 | (30) | R150 | RESEARCH PROJECT ANALYST | 1 | | GRADE 19 |
| 33 | (31) | R264 | MANAGEMENT PROJECT ANALYST I | 2 | | GRADE 18 |
| 34 | (32) | D128 | P C SUPPORT SPECI ALI ST | 1 | | GRADE 18 |
| 35 | (33) | R010 | ADMINI STRATIVE ASSI STANT II | 5 | | GRADE 17 |
| 36 | (34) | X342 | COMPLAI NTS INVESTI GATI ON SUPERVI SOR | 2 | | GRADE 17 |

| | | | | | |
|---|------|------|------------------------------------|----------|----------|
| 1 | (35) | X333 | ENGINEER TECHNICIAN | 1 | GRADE 16 |
| 2 | (36) | R009 | ADMINISTRATIVE ASSISTANT I | 3 | GRADE 15 |
| 3 | (37) | X307 | COMPLAINTS INVESTIGATOR | 2 | GRADE 15 |
| 4 | (38) | K041 | EXECUTIVE SECY/ADMINISTRATIVE SECY | 1 | GRADE 14 |
| 5 | (39) | K117 | MEDICAL OR LEGAL SECRETARY | 4 | GRADE 14 |
| 6 | (40) | K153 | SECRETARY II | 2 | GRADE 13 |
| 7 | (41) | K181 | MAILROOM SUPERVISOR | <u>1</u> | GRADE 12 |
| 8 | | | MAX. NO. OF EMPLOYEES | 91 | |

9

10 SECTION 2. EXTRA HELP - UTILITIES DIVISION. There is hereby authorized,
 11 for the Arkansas Public Service Commission - Utilities Division for the 2001-
 12 2003 biennium, the following maximum number of part-time or temporary
 13 employees, to be known as "Extra Help", payable from funds appropriated herein
 14 for such purposes: six (6) temporary or part-time employees, when needed, at
 15 rates of pay not to exceed those provided in the Uniform Classification and
 16 Compensation Act, or its successor, or this act for the appropriate
 17 classification.

18

19 SECTION 3. APPROPRIATION - UTILITIES DIVISION. There is hereby
 20 appropriated, to the Arkansas Public Service Commission, to be payable from
 21 the Public Service Commission Fund, for personal services and operating
 22 expenses of the Arkansas Public Service Commission - Utilities Division for
 23 the biennial period ending June 30, 2003, the following:

24

| 25 | ITEM | | FISCAL YEARS | |
|----|------------|-------------------------|------------------|------------------|
| 26 | <u>NO.</u> | | <u>2001-2002</u> | <u>2002-2003</u> |
| 27 | (01) | REGULAR SALARIES | \$ 4,893,771 | \$ 5,020,994 |
| 28 | (02) | EXTRA HELP | 1,325 | 1,325 |
| 29 | (03) | PERSONAL SERV MATCHING | 1,132,592 | 1,160,960 |
| 30 | (04) | OVERTIME | 25,000 | 25,000 |
| 31 | (05) | MAINT. & GEN. OPERATION | | |
| 32 | (A) | OPER. EXPENSE | 987,245 | 987,245 |
| 33 | (B) | CONF. & TRAVEL | 68,922 | 68,922 |
| 34 | (C) | PROF. FEES | 15,000 | 15,000 |
| 35 | (D) | CAP. OUTLAY | 50,924 | 31,524 |
| 36 | (E) | DATA PROC. | 15,000 | 15,000 |

| | | | | |
|---|------|----------------------------|---------------------|---------------------|
| 1 | (06) | BLDG REPAIR/MAINT | 48,638 | 0 |
| 2 | (07) | FEDERAL REGULATORY SERVICE | 290,575 | 290,575 |
| 3 | (08) | PROFESSIONAL SERVICES | 998,000 | 998,000 |
| 4 | (09) | DATA PROCESSING SERVICES | <u>277,713</u> | <u>0</u> |
| 5 | | TOTAL AMOUNT APPROPRIATED | <u>\$ 8,804,705</u> | <u>\$ 8,614,545</u> |

6

7 SECTION 4. REGULAR SALARIES - PIPELINE SAFETY PROGRAM. There is hereby
 8 established for the Arkansas Public Service Commission - Pipeline Safety
 9 Program for the 2001-2003 biennium, the following maximum number of regular
 10 employees whose salaries shall be governed by the provisions of the Uniform
 11 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its
 12 successor, and all laws amendatory thereto. Provided, however, that any
 13 position to which a specific maximum annual salary is set out herein in
 14 dollars, shall be exempt from the provisions of said Uniform Classification
 15 and Compensation Act. All persons occupying positions authorized herein are
 16 hereby governed by the provisions of the Regular Salaries Procedures and
 17 Restrictions Act (Arkansas Code §21-5-101), or its successor.

18

| 19 | | | | Maximum Annual | | |
|----|------|-------|----------------------------------|----------------|--------------|-----------|
| 20 | | | | Maximum | Salary Rate | |
| 21 | Item | Class | | No. of | Fiscal Years | |
| 22 | No. | Code | Title | Employees | 2001-2002 | 2002-2003 |
| 23 | (1) | 9747 | PSC DIRECTOR OF QUALITY SERVICES | 1 | \$78,604 | \$80,647 |
| 24 | (2) | R482 | PSC CHIEF, PIPELINE SAFETY | 1 | GRADE 24 | |
| 25 | (3) | X456 | PSC RATE CASE ENGINEER | 3 | GRADE 22 | |
| 26 | (4) | X299 | DOT CORROSION PROGRAM SPECIALIST | 3 | GRADE 18 | |
| 27 | (5) | R010 | ADMINISTRATIVE ASSISTANT II | <u>1</u> | GRADE 17 | |
| 28 | | | MAX. NO. OF EMPLOYEES | 9 | | |

29

30 SECTION 5. APPROPRIATION - PIPELINE SAFETY PROGRAM. There is hereby
 31 appropriated, to the Arkansas Public Service Commission, to be payable from
 32 the Public Service Commission Utility Safety Fund, for personal services and
 33 operating expenses of the Arkansas Public Service Commission - Pipeline Safety
 34 Program for the biennial period ending June 30, 2003, the following:

35

36 ITEM FISCAL YEARS

| NO. | | 2001-2002 | 2002-2003 |
|------|---------------------------|-------------------|-------------------|
| (01) | REGULAR SALARIES | \$ 464,493 | \$ 476,568 |
| (02) | PERSONAL SERV MATCHING | 108,945 | 111,075 |
| (03) | MAINT. & GEN. OPERATION | | |
| (A) | OPER. EXPENSE | 63,014 | 63,014 |
| (B) | CONF. & TRAVEL | 20,620 | 20,620 |
| (C) | PROF. FEES | 23,229 | 23,229 |
| (D) | CAP. OUTLAY | 3,430 | 21,330 |
| (E) | DATA PROC. | <u>0</u> | <u>0</u> |
| | TOTAL AMOUNT APPROPRIATED | <u>\$ 683,731</u> | <u>\$ 715,836</u> |

11

12 SECTION 6. REGULAR SALARIES - TAX DIVISION. There is hereby established
 13 for the Arkansas Public Service Commission - Tax Division for the 2001-2003
 14 biennium, the following maximum number of regular employees whose salaries
 15 shall be governed by the provisions of the Uniform Classification and
 16 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
 17 laws amendatory thereto. Provided, however, that any position to which a
 18 specific maximum annual salary is set out herein in dollars, shall be exempt
 19 from the provisions of said Uniform Classification and Compensation Act. All
 20 persons occupying positions authorized herein are hereby governed by the
 21 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 22 Code §21-5-101), or its successor.

23

| Item | Class | | Maximum | Maximum Annual | |
|------|-------|-------------------------------------|------------|----------------|-----------|
| No. | Code | Title | No. of | Salary Rate | |
| | | | Empl oyees | Fiscal Years | |
| | | | | 2001-2002 | 2002-2003 |
| (1) | 9143 | PSC TAX DIVISION DIRECTOR | 1 | \$81,714 | \$83,838 |
| (2) | 032Z | PSC TAX DIV ASST DIR/MOTOR CAR PROG | 1 | GRADE 23 | |
| (3) | A150 | TAX DIVISION ASSISTANT DIRECTOR | 1 | GRADE 23 | |
| (4) | 909Z | PROGRAM SUPPORT MANAGER | 1 | GRADE 22 | |
| (5) | A121 | PSC TAX DIV FINANCIAL ANALYST | 1 | GRADE 22 | |
| (6) | R266 | MANAGEMENT PROJECT ANALYST II | 1 | GRADE 20 | |
| (7) | R150 | RESEARCH PROJECT ANALYST | 1 | GRADE 19 | |
| (8) | A111 | ACCOUNTANT | 1 | GRADE 18 | |
| (9) | R264 | MANAGEMENT PROJECT ANALYST I | 1 | GRADE 18 | |

| | | | | | |
|---|------|------|----------------------------------|----------|----------|
| 1 | (10) | A052 | PSC TAX DIV VALUATION ANALYST II | 3 | GRADE 17 |
| 2 | (11) | A050 | PSC TAX DIV VALUATION ANALYST I | <u>3</u> | GRADE 14 |
| 3 | | | MAX. NO. OF EMPLOYEES | 15 | |

SECTION 7. EXTRA HELP - TAX DIVISION. There is hereby authorized, for the Arkansas Public Service Commission - Tax Division 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: five (5) 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 8. APPROPRIATION - TAX DIVISION. There is hereby appropriated, to the Arkansas Public Service Commission, to be payable from the Tax Division Fund, for personal services and operating expenses of the Arkansas Public Service Commission - Tax Division for the biennial period ending June 30, 2003, the following:

| 19 | ITEM | FISCAL YEARS | |
|----|------------------------------|---------------------|---------------------|
| 20 | <u>NO.</u> | <u>2001-2002</u> | <u>2002-2003</u> |
| 21 | (01) REGULAR SALARIES | \$ 490,137 | \$ 502,878 |
| 22 | (02) EXTRA HELP | 38,238 | 38,238 |
| 23 | (03) PERSONAL SERV MATCHING | 134,283 | 137,112 |
| 24 | (04) OVERTIME | 5,000 | 5,000 |
| 25 | (05) MAINT. & GEN. OPERATION | | |
| 26 | (A) OPER. EXPENSE | 189,699 | 191,929 |
| 27 | (B) CONF. & TRAVEL | 12,500 | 12,500 |
| 28 | (C) PROF. FEES | 100,000 | 100,000 |
| 29 | (D) CAP. OUTLAY | 6,200 | 6,200 |
| 30 | (E) DATA PROC. | 0 | 0 |
| 31 | (06) CONTINGENCY | <u>400,000</u> | <u>400,000</u> |
| 32 | TOTAL AMOUNT APPROPRIATED | <u>\$ 1,376,057</u> | <u>\$ 1,393,857</u> |

SECTION 9. APPROPRIATION - CONTINGENCY. There is hereby appropriated, to the Arkansas Public Service Commission, to be payable from the Public Service Commission Fund, for personal services and operating expenses of the Arkansas

1 Public Service Commission - Contingency for the biennial period ending June
 2 30, 2003, the following:

3

| ITEM | FISCAL YEARS | |
|------------------|---------------------|---------------------|
| NO. | 2001-2002 | 2002-2003 |
| (01) CONTINGENCY | <u>\$ 1,000,000</u> | <u>\$ 1,000,000</u> |

7

8 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 CONTINGENCY RESTRICTION. UTILITIES DIVISION. In the event of unforeseen
 11 conditions, additional appropriations become necessary that are not authorized
 12 or contemplated in Section 3 of this Act and such events make it necessary
 13 that the Public Service Commission - Utilities Division receives additional
 14 appropriations to carry out the objectives of the agency, the Director of the
 15 Public Service Commission is hereby authorized to request the approval of the
 16 Governor and the Chief Fiscal Officer of the State, as hereinafter provided,
 17 for transfer of the additional appropriations provided in Section 9 to the
 18 appropriations provided the Utilities Division by Section 3, but in no event
 19 shall the transfers exceed the appropriations provided in Section 9 of this
 20 Act. Whenever the Director of the Public Service Commission deems it
 21 necessary to establish additional appropriations as authorized herein, he
 22 shall file with the Governor a written report accompanied by necessary
 23 supporting documents setting forth the facts, justifications, and
 24 circumstances that necessitate such appropriation. Upon receipt of such
 25 reports and supporting documents, the Governor, or his designee, shall study
 26 the same, and if he shall determine that such additional appropriations are
 27 being sought in strict compliance with this Act, the Governor, after seeking
 28 prior review by the Arkansas Legislative Council or the Joint Budget
 29 Committee, may approve or modify such request for additional appropriations as
 30 in his judgement he deems necessary, and shall forward a copy thereof to the
 31 Chief Fiscal Officer of the State. Upon receipt thereof, the Chief Fiscal
 32 Officer of the State shall direct the State Auditor to process said transfer
 33 upon his books in accordance with the provisions as set out therein.

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

36

1 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 3 RATES OF PAY. Due to the highly competitive job market conditions for utility
 4 rate case professionals and the necessity of recruiting and retaining
 5 qualified personnel, the Public Service Commission is authorized special rates
 6 of pay for current and new employees in the classification listed under
 7 subsection (a) below.

8 (a) Special rates may be authorized up to the maximum authorized for the
 9 grade assigned the classification of a position for the following specific
 10 classifications only:

11

12 Class

| 13 Code | Title | Grade |
|--------------------|---|---------------|
| 14 063Z | GENERAL COUNSEL | 26 |
| 15 827Z | DATA PROCESSING CENTER MANAGER | 26 |
| 16 009Z | PSC GAS AND WATER SECTION MANAGER | 25 |
| 17 <u>016Z</u> | <u>PSC DIRECTOR OF ELECTRIC UTILITIES SECTION</u> | <u>26</u> |
| 18 984Z | PSC TELECOMMUNICATIONS UTILITY SECTION MGR | 25 |
| 19 R170 | ATTORNEY SPECIALIST | 25 |
| 20 R050 | PSC RURAL LIAISON | 24 |
| 21 A198 | SENIOR RATE CASE ANALYST | 24 |
| 22 A254 | PUBLIC UTILITY AUDIT MANAGER | 24 |
| 23 A200 | PSC OPERATIONS MANAGER | 24 |
| 24 R480 | PSC CHIEF, QUALITY OF SERVICE | 23 |
| 25 055Z | DATA PROCESSING MANAGER | 23 |
| 26 R482 | PSC CHIEF, PIPELINE SAFETY | 22 |
| 27 A072 | PUBLIC UTILITY AUDITOR SUPV | 22 |
| 28 X456 | PSC RATE CASE ENGINEER | 22 |
| 29 A116 | RATE ANALYST III | 21 |
| 30 D036 | SR PROGRAMMER ANALYST | 21 |
| 31 D123 | APPLICATIONS AND SYSTEMS ANALYST | 21 |
| 32 A076 | PUBLIC UTILITY AUDITOR II | 20 |
| 33 A038 | FINANCIAL ANALYST | 20 |
| 34 D121 | USER SUPPORT ANALYST | 20 |
| 35 R133 | AGENCY DIR RESEARCH & STATISTICS | 20 |
| 36 X438 | PSC UTILITY SERVICES SUPV | 19 |

| | | | |
|----|------|----------------------------------|----|
| 1 | A080 | RATE ANALYST II | 19 |
| 2 | X299 | DOT CORROSION PROGRAM SPECIALIST | 18 |
| 3 | A074 | PUBLIC UTILITY AUDITOR I | 18 |
| 4 | A078 | RATE ANALYST I | 18 |
| 5 | R150 | RESEARCH PROJECT ANALYST | 19 |
| 6 | A006 | ACCOUNTING SUPERVISOR I | 20 |
| 7 | R264 | MANAGEMENT PROJECT ANALYST I | 18 |
| 8 | D128 | COMPUTER OPERATIONS SPECIALIST | 17 |
| 9 | X342 | COMPLAINTS INVESTIGATION SUPV | 17 |
| 10 | X458 | ENGINEER TECHNICIAN SUPV | 17 |
| 11 | X333 | ENGINEER TECHNICIAN | 16 |

12

13 (b) A monthly report shall be made to the Arkansas Legislative Council
 14 describing all personnel transactions involving applications of any of the
 15 provisions of this Section.

16 (c) This provision shall be in full force and effect for the biennium
 17 beginning July 1, ~~1999~~ 2001, and ending June 30, ~~2001~~ 2003.

18

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

21

22 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 24 FORWARD. Any unexpended balance of the appropriation authorized in Item (09)
 25 of Section 3 of this Act which remains at the close of the fiscal year ending
 26 June 30, ~~2000~~ 2002, shall be carried forward and made available for the same
 27 purpose for the fiscal year ending June 30, ~~2001~~ 2003.

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

30

31 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 33 FORWARD. Any unexpended balance of the appropriation authorized for Building
 34 Repairs/Maintenance in Item (06) of Section 3 of this Act which remains at the
 35 close of the fiscal year ending June 30, ~~2000~~ 2002, shall be carried forward
 36 and made available for the same purpose for the fiscal year ending June 30,

1 ~~2001~~ 2003.

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

4
5 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 CONTINGENCY RESTRICTION. TAX DIVISION. In the event additional
8 appropriations become necessary that are not authorized or contemplated in
9 Section 8 of this Act and specific cases, situations, and/or programs make it
10 necessary that the Arkansas Public Service Commission – Tax Division receives
11 additional appropriations to carry out the objectives of the Division, the
12 Chairman of the Arkansas Public Service Commission is hereby authorized to
13 request the approval of the Governor and the Chief Fiscal Officer of the State
14 for transfers of the appropriations provided in the Contingency line item of
15 Section 8 of this Act to other line items within Section 8. In no event shall
16 the transfers in any fiscal year exceed the appropriations provided in the
17 Contingency line item of Section 8 of this Act. The Governor may approve or
18 modify such request for transfer of appropriations as in his judgment he deems
19 necessary, and shall seek prior review of the Arkansas Legislative Council and
20 inform the Chief Fiscal Officer of the State. Upon notification, the Chief
21 Fiscal Officer of the State shall direct the State Auditor to process said
22 transfer upon his books in accordance with the provisions as set out herein.

23
24 The provisions of this section shall be in effect only from July 1, 2001
25 through June 30, 2003.

26
27 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RURAL AND
29 COMMUNITY LIAISON. GENERAL JOB RESPONSIBILITIES. The Rural and Community
30 Liaison will serve as a two-way communication link between the Arkansas Public
31 Service Commission and utility customers in Arkansas, particularly those in
32 rural areas. The Rural and Community Liaison is responsible for providing
33 information to communities and rural utility customers concerning utility
34 matters within the jurisdiction of the Commission. The Rural and Community
35 Liaison is also responsible for identifying questions and concerns that rural
36 utility customers may have concerning utility issues and relaying those

1 concerns to the Commissioners and the Commission Staff. In the performance of
 2 these duties, the Rural and Community Liaison will work with stakeholders in
 3 rural areas and communities, including legislators, civic and community
 4 leaders, customers and customer groups, and rural utility personnel.

5
 6 The provisions of this section shall be in effect only from July 1, 2001
 7 through June 30, 2003.

8
 9 SECTION 16. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 10 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
 11 appropriations as provided in this Act, the agency disbursing officer shall
 12 monitor the level of fund balances in relation to expenditures on a monthly
 13 basis. If any proposed expenditures would cause a fund balance to decline to
 14 less than fifty percent (50%) of the balance available on July 1, 2001, the
 15 disbursing officer shall immediately notify the executive head of the agency.

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

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

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

33
 34 SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 35 by this act shall be limited to the appropriation for such agency and funds
 36 made available by law for the support of such appropriations; and the

1 restrictions of the State Purchasing Law, the General Accounting and Budgetary
2 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures
3 and Restrictions Act, or their successors, and other fiscal control laws of
4 this State, where applicable, and regulations promulgated by the Department of
5 Finance and Administration, as authorized by law, shall be strictly complied
6 with in disbursement of said funds.

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

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

28 */s/ Joint Budget Committee*
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36