

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

# A Bill

SENATE BILL 227

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

8  
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE ARKANSAS ETHICS  
11 COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 2003; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE ARKANSAS ETHICS  
16 COMMISSION APPROPRIATION FOR THE 2001-  
17 2003 BIENNIAL.  
18  
19  
20

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

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

|    |            |         |                |
|----|------------|---------|----------------|
| 34 |            |         | Maximum Annual |
| 35 |            | Maximum | Salary Rate    |
| 36 | Item Class | No. of  | Fiscal Years   |

| No. | Code | Title                                | Employees | 2001-2002 | 2002-2003 |
|-----|------|--------------------------------------|-----------|-----------|-----------|
| (1) | 7225 | ETHICS COMMISSION DIRECTOR           | 1         | \$72,942  | \$74,838  |
| (2) | 7345 | ETHICS COMM STAFF ATTORNEY           | 2         | \$52,726  | \$54,097  |
| (3) | 7276 | ETHICS COMM DIR OF COMPLIANCE        | 2         | \$39,340  | \$40,362  |
| (4) | 9014 | ETHICS COMMISSION PROGRAMMER ANALYST | 1         | \$33,751  | \$34,628  |
| (5) | 9042 | ETHICS COMMISSION EXECUTIVE SECY     | 1         | \$30,359  | \$31,148  |
| (6) | 9013 | ETHICS COMMISSION SECRETARY          | <u>2</u>  | \$22,018  | \$22,590  |
|     |      | MAX. NO. OF EMPLOYEES                | 9         |           |           |

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Ethics Commission 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: two (2) 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 3. APPROPRIATION. There is hereby appropriated, to the Arkansas Ethics Commission, to be payable from the State Central Services Fund, for personal services and operating expenses of the Arkansas Ethics Commission for the biennial period ending June 30, 2003, the following:

| ITEM NO.                     | FISCAL YEARS      |                   |
|------------------------------|-------------------|-------------------|
|                              | 2001-2002         | 2002-2003         |
| (01) REGULAR SALARIES        | \$ 365,220        | \$ 374,712        |
| (02) EXTRA HELP              | 1,500             | 1,500             |
| (03) PERSONAL SERV MATCHING  | 92,681            | 94,387            |
| (04) MAINT. & GEN. OPERATION |                   |                   |
| (A) OPER. EXPENSE            | 108,367           | 108,367           |
| (B) CONF. & TRAVEL           | 5,000             | 5,000             |
| (C) PROF. FEES               | 0                 | 0                 |
| (D) CAP. OUTLAY              | 0                 | 0                 |
| (E) DATA PROC.               | <u>0</u>          | <u>0</u>          |
| TOTAL AMOUNT APPROPRIATED    | <u>\$ 572,768</u> | <u>\$ 583,966</u> |

SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED

1 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
2 appropriations as provided in this Act, the agency disbursing officer shall  
3 monitor the level of fund balances in relation to expenditures on a monthly  
4 basis. If any proposed expenditures would cause a fund balance to decline to  
5 less than fifty percent (50%) of the balance available on July 1, 2001, the  
6 disbursing officer shall immediately notify the executive head of the agency.  
7 Prior to any obligations being made under these circumstances, the agency  
8 head shall file written documentation with the Chief Fiscal Officer of the  
9 State requesting approval of the expenditures. Such documentation shall  
10 provide sufficient financial data to justify the expenditures and shall  
11 include the following:

- 12 1) a plan that clearly indicates the specific fiscal impact of such  
13 expenditures on the fund balance.
- 14 2) information clearly indicating and explaining what programs would be cut or  
15 any other measures to be taken by the agency to restore the fund balance.
- 16 3) the extent to which any of the planned expenditures are for one-time costs  
17 or one-time purchase of capitalized items.
- 18 4) a statement certifying that the expenditure of fund balances will not  
19 jeopardize the financial health of the agency, nor result in a permanent  
20 depletion of the fund balance.

21 (B) The Chief Fiscal Officer of the State shall review the request and  
22 approve or disapprove all or any part of the request , after having sought  
23 prior review by the Legislative Council.  
24

25 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
26 this act shall be limited to the appropriation for such agency and funds made  
27 available by law for the support of such appropriations; and the restrictions  
28 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
29 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
30 Restrictions Act, or their successors, and other fiscal control laws of this  
31 State, where applicable, and regulations promulgated by the Department of  
32 Finance and Administration, as authorized by law, shall be strictly complied  
33 with in disbursement of said funds.  
34

35 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
36 that any funds disbursed under the authority of the appropriations contained

1 in this act shall be in compliance with the stated reasons for which this act  
2 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
3 and Legislative Recommendations contained in the budget manuals prepared by  
4 the Department of Finance and Administration, letters, or summarized oral  
5 testimony in the official minutes of the Arkansas Legislative Council or Joint  
6 Budget Committee which relate to its passage and adoption.

7  
8 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
9 Assembly, that the Constitution of the State of Arkansas prohibits the  
10 appropriation of funds for more than a two (2) year period; that the  
11 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
12 agency for which the appropriations in this Act are provided, and that in the  
13 event of an extension of the Regular Session, the delay in the effective date  
14 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
15 administration and provision of essential governmental programs. Therefore, an  
16 emergency is hereby declared to exist and this Act being necessary for the  
17 immediate preservation of the public peace, health and safety shall be in full  
18 force and effect from and after July 1, 2001.

19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36