

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1839

By: Representative Mitchum

For An Act To Be Entitled

"AN ACT TO AMEND ACT 167 OF 1989 TO AUTHORIZED PAYMENT OF OVERTIME FOR COMMISSIONED OFFICERS OF THE ARKANSAS STATE POLICE; TO MAKE AN APPROPRIATION FOR OVERTIME COMPENSATION; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 2 of Act 167 of 1989 is hereby amended to read as follows:

"SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Department of Arkansas State Police, to be payable from the Department of Arkansas State Police Fund, for personal services and operating expenses of the Department of Arkansas State Police for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 15,155,970	\$ 15,381,849
(02) PERSONAL SERV MATCHING	6,771,316	7,125,760
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 3,220,750	\$ 3,320,750
(B) CONF. & TRAVEL	15,000	15,000
(C) PROF. FEES	24,800	24,800
(D) CAPITAL OUTLAY	175,000	175,000
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	3,435,550	3,535,550
(04) UNIFORM ALLOWANCE	644,200	644,200
(05) FIRE PREVENTION COMM EXP	600	600
(06) SPECIAL TRAVEL ALLOWANCE	998,000	998,000
(07) COVERT OPERATIONS	250,000	250,000

(08) OVERTIME COMPENSATION	_350,000	_350,000
 TOTAL AMOUNT APPROPRIATED	 \$ 27,605,636	 \$ 28,285,959"

SECTION 2. Section 11 of Act 167 of 1989 is hereby amended to read as follows:

"SECTION 11. (a) EXPENSE ALLOWANCE. Due to the exacting and special duties of the Director of the Arkansas State Police, the Director of the Arkansas State Police is hereby authorized to draw an expense allowance in an amount not to exceed Six Hundred Dollars (\$600.00) per month.

(b) OVERTIME. The Director of the Arkansas State Police is hereby authorized to pay overtime to commissioned officers of the Arkansas State Police who are not exempted from overtime provisions of the federal Fair Labor Standards Act. For the purpose of paying overtime, any portion of Item 8 of Section 2 may be transferred to and be combined with Item 1 (Salaries) in Section 2 at the discretion of the Director and notice to the Auditor of State and the Director of Finance and Administration. Thereafter, overtime applicable to salaries may be paid from Item 1 of Section 2. One state warrant may be issued to each employee for the total of the regular salaries and overtime earned. The amount of the line items in Section 1 authorized for salaries, may be exceeded for employees eligible for overtime to the extent of the overtime paid to said employees. Overtime thus paid shall be identifiable for each employee, and in total for all employees, on the voucher or other record that is submitted to support the issuance of payroll warrants."

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

SECTION 4. 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 5. 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 6. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh 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, 1989 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, 1989 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, 1989.