



STEVE CLARK
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STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

(501) 371-2007

OPINION NO. 85-199

September 26, 1985

The Honorable Julia Hughes Jones
Auditor of State
230 State Capitol
Little Rock, Arkansas 72201

RE: ACT 381 OF 1983

Dear Auditor Jones:

This is in response to your inquiry whereby you submitted the following:

1. What are the exact responsibilities of the Auditor of State under Act 381 of 1983?
2. If the Auditor is an ex officio nonvoting member performing mere ceremonial functions, would it be possible to resign from this position?
3. If the Auditor can resign from this chairmanship, what would the responsibilities and liabilities of the Auditor be in regard to the Fire and Police Pension Review Board?

Act 381 imposes no specific duties upon the Auditor of State except to serve as ex officio and nonvoting Chairman of the Board and to furnish all records and correspondence, accountants' reports and actuarial evaluations of the local Police and Firemen's pension funds to the staff.

In answer to questions 2 and 3 there is no provision for an Auditor of State to resign from this Board, since the Auditor is designated as a member of the Board by statute.

This opinion, which I hereby approve, was prepared by Chief Deputy Rodney Parham.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Clark".
STEVE CLARK
Attorney General

JSC:ERP:jk