

Act 139 of the First Special Session of 1989.

Act 139

SB139

By:Joint Budget Committee

For An Act To Be Entitled
"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
OPERATING EXPENSES OF THE STATE BANK DEPARTMENT FOR THE
BIENNIAL PERIOD ENDING JUNE 30, 1991; AND FOR OTHER
PURPOSES."

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

SECTION 1. REGULAR SALARIES. There is hereby established for the State
Bank Department for the 1989-91 biennium, the following maximum number of
regular employees whose salaries shall be governed by the provisions of the
Uniform Classification and Compensation Act, or its successor, and all laws
amendatory thereto. Provided, however, that any position to which a specific
maximum annual salary is set out herein in dollars, shall be exempt from the
provisions of said Uniform Classification and Compensation Act. All persons
occupying positions authorized herein are hereby governed by the provisions of
the Regular Salaries Procedures and Restrictions Act, or its successor.

Table with 5 columns: Item No., Class Code, Title, Maximum No. of Employees, and Maximum Annual Salary Rate (1989-90 and 1990-91). Rows include various positions like DIRECTOR, ASSISTANT COMMISSIONER, EXAMINER, etc., with their respective counts and salary rates.

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Bank
Department for the 1989-91 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: three (3) 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, for the appropriate classification.

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State Bank Department, to be payable from the Bank Department Fund, for personal services and operating expenses of the State Bank Department for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 2,077,760	\$ 2,101,983
(02) EXTRA HELP	20,000	22,000
(03) PERSONAL SERV MATCHING	468,940	486,935
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 712,731	\$ 712,731
(B) CONF. & TRAVEL	128,446	128,446
(C) PROF. FEES	18,000	18,000
(D) CAPITAL OUTLAY	185,000	185,000
(E) DATA PROCESSING	8,000	8,000
TOTAL MAINT. & GEN. OPER.	1,052,177	1,052,177
(05) LEGAL COUNSEL	43,000	45,000
(06) EDUCATION FOUNDATION OF ST BANK SUPERVISORS	40,000	40,000
TOTAL AMOUNT APPROPRIATED	\$ 3,701,877	\$ 3,748,095

SECTION 4. REGULAR SALARIES - CONTINGENCY. There is hereby established for the State Bank Department - Contingency for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1989-90	1990-91
(1)	A014	BANK SENIOR EXAMINER	7	GRADE 23	
(2)	A042	FINANCIAL EXAMINER II	5	GRADE 20	
(3)	A040	FINANCIAL EXAMINER I	2	GRADE 18	
(4)	D013	DATA CONTROL TECHNICIAN	1	GRADE 13	
		MAX NO. OF EMPLOYEES	15		

SECTION 5. APPROPRIATIONS - CONTINGENCY. There is hereby appropriated, to the State Bank Department - Contingency, to be payable from the Bank Department Fund, for personal services and operating expenses of the State Bank Department - Contingency for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 445,328	\$ 450,126
(02) PERSONAL SERV MATCHING	99,507	103,396
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 200,000	\$ 300,000

(B) CONF. & TRAVEL	0	0		
(C) PROF. FEES	0	0		
(D) CAPITAL OUTLAY	100,000	75,000		
(E) DATA PROCESSING	0	0		
TOTAL MAINT. & GEN. OPER.			300,000	375,000
TOTAL AMOUNT APPROPRIATED			\$ 844,835	\$ 928,522

SECTION 6. CONTINGENCY RESTRICTION. The appropriation for each line item of the Bank-Contingency Program shall be held in deferred status until released according to the provisions contained herein. In the event that the number of institutions within the jurisdiction of the State Bank Department increases through intrastate branching or interstate banking activities at a rate that is deemed to require additional personnel and/or appropriation to carry out the objectives of the Agency, the Director of the State Bank Department is hereby authorized to request the Chief Fiscal Officer of the State to approve a release from deferment of appropriations provided in Section 5 of this Act. Whenever the Director of the State Bank Department deems it necessary to request a release of deferment as authorized herein, he shall file with the Chief Fiscal Officer a written report accompanied by necessary supporting documents setting forth the facts, justifications, and circumstances that necessitate such request. Upon receipt of such reports and supporting documents, the Chief Fiscal Officer shall study the same, and if he shall determine that such release of deferred appropriation is being sought in strict compliance with this Act, the Chief Fiscal Officer, after prior review by the Arkansas Legislative Council or the Joint Budget Committee, may approve or modify such request as in his judgment he deems necessary.

SECTION 7. SPECIAL RATES OF PAY. Due to the highly competitive job market conditions for banking industry professionals and the necessity of recruiting and retaining qualified personnel, the State Bank Department is authorized special rates of pay for current and new employees up to the levels listed under subsection (a), with additional authority and restrictions as indicated in subsections (b) and (c) below:

(a) Special rates may be authorized for the following classifications only, as indicated herein.

CLASS			
CODE	TITLE	GRADE	STEP
020Z	Bank Chief Examiner	26	10
022Z	Bank Assistant Chief Examiner	25	10
021Z	Bank Sr. EDP Examiner	24	10
A130	Bank Review Admn.	25	10
A014	Bank Senior Examiner	23	10
D074	Bank Jr. EDP Examiner	22	10
A042	Financial Examiner II	21	10
A128	Bank Financial Analyst	21	10
D038	Systems Programmer	20	10
A040	Financial Examiner I	19	10
A045	Financial Examiner Trainee	17	10

(b) Applications for special rates of pay above the steps indicated in subsection (a) shall have been reviewed and approved by the Office of Personnel Management after prior review by the Arkansas Legislative Council.

(c) This special provision shall be in full force and effect for the biennium beginning July 1, 1989, and ending June 30, 1991.

SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds 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 9. 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 10. 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. Act 608 of 1989 is hereby repealed.

SECTION 11. 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.

APPROVED: June 23, 1989
