

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 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

Act 40 of 2003  
HOUSE BILL 1082

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE STATE  
11 BANK DEPARTMENT FOR THE BIENNIAL PERIOD ENDING  
12 JUNE 30, 2005; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE STATE BANK DEPARTMENT  
16 APPROPRIATION FOR THE 2003-2005  
17 BIENNIUM.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
24 Bank Department for the 2003-2005 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  
30 Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 successor.  
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35 Maximum Annual  
36 Maximum Salary Rate



Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2003-2004	2004-2005
3	(1)	9908 DIRECTOR BANK DEPARTMENT	1	\$108,363	\$110,730
4	(2)	7347 BANK ASSISTANT COMMISSIONER	2	\$85,606	\$87,633
5	(3)	020Z BANK CHIEF EXAMINER	2	GRADE 26	
6	(4)	A021 BANK ASSISTANT CHIEF EXAMINER	2	GRADE 25	
7	(5)	D131 BANK IT ADMINISTRATOR	1	GRADE 25	
8	(6)	A130 BANK REVIEW ADMINISTRATOR	9	GRADE 24	
9	(7)	D041 BANK SR. IS EXAMINER	3	GRADE 24	
10	(8)	D064 SR SYSTEMS PROGRAMMER	2	GRADE 24	
11	(9)	A014 BANK SENIOR EXAMINER	34	GRADE 23	
12	(10)	A032 AGENCY FISCAL MANAGER	1	GRADE 22	
13	(11)	R160 BANK TRAINING & EMPLOYMENT SVCS MGR	1	GRADE 21	
14	(12)	A042 FINANCIAL EXAMINER II	10	GRADE 20	
15	(13)	A124 ACCOUNTING SERVICES REP II	1	GRADE 20	
16	(14)	R266 MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
17	(15)	A111 ACCOUNTANT	1	GRADE 18	
18	(16)	R010 ADMINISTRATIVE ASSISTANT II	<u>5</u>	GRADE 17	
19		MAX. NO. OF EMPLOYEES	77		

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Bank Department for the 2003-2005 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: one (1) 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 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, 2005, the following:

ITEM	FISCAL YEARS		
	NO.	2003-2004	2004-2005
(01) REGULAR SALARIES	\$	4,681,721	\$ 4,808,133

1	(02) EXTRA HELP	5,000	5,000
2	(03) PERSONAL SERV MATCH	1,086,874	1,109,277
3	(04) MAINT. & GEN. OPERATION		
4	(A) OPER. EXPENSE	1,210,025	1,269,108
5	(B) CONF. & TRAVEL	252,100	277,030
6	(C) PROF. FEES	170,000	170,000
7	(D) CAP. OUTLAY	314,025	314,025
8	(E) DATA PROC.	<u>0</u>	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,719,745</u>	<u>\$ 7,952,573</u>

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11 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
 13 RATES OF PAY. Due to the highly competitive job market conditions for banking  
 14 industry professionals and the necessity of recruiting and retaining  
 15 qualified personnel, the State Bank Department is authorized special rates of  
 16 pay for current and new employees up to the levels listed under subsection  
 17 (a), with additional authority and restrictions as indicated in subsections  
 18 (b) and (c) below:

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

21 CLASS

22	CODE	TITLE	GRADE	BAND
23	020Z	Bank Chief Examiner	26	IV
24	A021	Bank Assistant Chief Examiner	25	IV
25	<del>D131</del>	<del>Bank DP Administrator</del>	<del>25</del>	<del>IV</del>
26	<del>D041</del>	<del>Bank Senior DP Examiner</del>	<del>24</del>	<del>IV</del>
27	<u>D041</u>	<u>Bank Senior IS Examiner</u>	<u>24</u>	<u>IV</u>
28	A130	Bank Review Administrator	24	IV
29	A014	Bank Senior Examiner	23	IV
30	<del>D074</del>	<del>Bank Jr. DP Examiner</del>	<del>22</del>	<del>IV</del>
31	<u>D074</u>	<u>Bank Jr. IS Examiner</u>	<u>22</u>	<u>IV</u>
32	<del>D038</del>	<del>Systems Programmer</del>	<del>22</del>	<del>IV</del>
33	<del>R160</del>	<del>Bank Training and Emp. Svcs. Mgr.</del>	<del>21</del>	<del>IV</del>
34	<del>A042</del>	<del>Financial Examiner II</del>	<del>20</del>	<del>IV</del>
35	<u>A042</u>	<u>Financial Examiner II</u>	<u>20</u>	<u>IIIM</u>
36	<del>A040</del>	<del>Financial Examiner I</del>	<del>18</del>	<del>IV</del>

1 A040 Financial Examiner I 18 III

2 ~~A045 Financial Examiner Trainee 17 IV~~

3 A045 Financial Examiner Trainee 17 III

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

7 (c) Labor market rates will be established as needed for classifications  
 8 not covered by the provisions of this section.

9 (d) A current plan of progression should be filed with the Office of  
 10 Personnel Management on a biennial basis.

11 This special provision shall be in full force and effect for the biennium  
 12 beginning ~~July 1, 2001~~ July 1, 2003 and ending ~~June 30, 2003~~ June 30, 2005.

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

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16 SECTION 5. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 17 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES - BANK  
 18 DEPARTMENT FUND. (A) For all appropriations as provided in this Act, the  
 19 agency disbursing officer shall monitor the level of fund balances in  
 20 relation to expenditures on a monthly basis. If any proposed expenditures  
 21 would cause the Bank Department Fund to decline below six hundred forty six  
 22 thousand two hundred and eighty six dollars (\$646,286) a fund balance to  
 23 ~~decline to less than fifty percent (50%) of the balance available on July 1,~~  
 24 ~~2001,~~ the disbursing officer shall immediately notify the executive head of  
 25 the agency. Prior to any obligations being made under these circumstances,  
 26 the agency head shall file written documentation with the Chief Fiscal  
 27 Officer of the State requesting approval of the expenditures. Such  
 28 documentation shall provide sufficient financial data to justify the  
 29 expenditures and shall include the following:

- 30 1) a plan that clearly indicates the specific fiscal impact of such
- 31 expenditures on the fund balance.
- 32 2) information clearly indicating and explaining what programs would be cut
- 33 or any other measures to be taken by the agency to restore the fund balance.
- 34 3) the extent to which any of the planned expenditures are for one-time costs
- 35 or one-time purchase of capitalized items.
- 36 4) a statement certifying that the expenditure of fund balances will not

1 jeopardize the financial health of the agency, nor result in a permanent  
 2 depletion of the fund balance.

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

6 The provisions of this section shall be in effect only from July 1, 2003  
 7 through June 30, 2005.

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9 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 10 by this act shall be limited to the appropriation for such agency and funds  
 11 made available by law for the support of such appropriations; and the  
 12 restrictions of the State Purchasing Law, the General Accounting and  
 13 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 14 Procedures and Restrictions Act, or their successors, and other fiscal  
 15 control laws of this State, where applicable, and regulations promulgated by  
 16 the Department of Finance and Administration, as authorized by law, shall be  
 17 strictly complied with in disbursement of said funds.

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19 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 20 that any funds disbursed under the authority of the appropriations contained  
 21 in this act shall be in compliance with the stated reasons for which this act  
 22 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 23 and Legislative Recommendations contained in the budget manuals prepared by  
 24 the Department of Finance and Administration, letters, or summarized oral  
 25 testimony in the official minutes of the Arkansas Legislative Council or  
 26 Joint Budget Committee which relate to its passage and adoption.

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28 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
 29 Assembly, that the Constitution of the State of Arkansas prohibits the  
 30 appropriation of funds for more than a two (2) year period; that the  
 31 effectiveness of this Act on July 1, 2003 is essential to the operation of  
 32 the agency for which the appropriations in this Act are provided, and that in  
 33 the event of an extension of the Regular Session, the delay in the effective  
 34 date of this Act beyond July 1, 2003 could work irreparable harm upon the  
 35 proper administration and provision of essential governmental programs.  
 36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and  
2 safety shall be in full force and effect from and after July 1, 2003.

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6 APPROVED: 2/3/2003  
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