

**Stricken language will be deleted and underlined language will be added.
Act 281 of the Fiscal Session**

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010
4

As Engrossed: S2/22/10
A Bill

SENATE BILL 64

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 BOARD OF COLLECTION AGENCIES FOR THE FISCAL YEAR
12 ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE STATE BOARD OF COLLECTION
16 AGENCIES APPROPRIATION FOR THE 2010-2011
17 FISCAL YEAR.
18
19

20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - DIVISION OF COLLECTIONS. There is hereby
24 established for the State Board of Collection Agencies - Division of
25 Collections for the 2010-2011 fiscal year, the following maximum number of
26 regular employees whose salaries shall be governed by the provisions of the
27 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
28 seq.), or its successor, and all laws amendatory thereto. Provided, however,
29 that any position to which a specific maximum annual salary is set out herein
30 in dollars, shall be exempt from the provisions of said Uniform
31 Classification and Compensation Act. All persons occupying positions
32 authorized herein are hereby governed by the provisions of the Regular
33 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
34 successor.
35

36 Maximum Annual

Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2010-2011
4	(1) X001N	BD OF COLLECTION EXECUTIVE DIRECTOR	1	GRADE N902
5	(2) X130C	BD OF COLLECTION FIELD INVESTIGATOR	1	GRADE C116
6	(3) C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
7	(4) C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
8	MAX. NO. OF EMPLOYEES		4	

SECTION 2. EXTRA HELP - DIVISION OF COLLECTIONS. There is hereby authorized, for the State Board of Collection Agencies - Division of Collections for the 2010-2011 fiscal year, 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 - DIVISION OF COLLECTIONS. There is hereby appropriated, to the State Board of Collection Agencies, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the State Board of Collection Agencies, for personal services and operating expenses of the State Board of Collection Agencies - Division of Collections for the fiscal year ending June 30, 2011, the following:

ITEM NO.		FISCAL YEAR 2010-2011
28	(01) REGULAR SALARIES	\$ 188,243
29	(02) EXTRA HELP	5,000
30	(03) PERSONAL SERVICES MATCHING	55,859
31	(04) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	86,700
33	(B) CONF. & TRAVEL	4,500
34	(C) PROF. FEES	21,000
35	(D) CAP. OUTLAY	0
36	(E) DATA PROC.	0

1	(05) DHS/UAMS/UCA/SAU SYSTEM GRANTS	1,200,000
2	(06) CLAIMS	<u>24,642</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,585,944</u>

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5 SECTION 4. SPECIAL LANGUAGE. Arkansas Code § 17-24-305(b)(1), concerning
 6 the use of State Board of Collection Agencies fees is amended to add an
 7 additional subsection to read as follows:

8 (E)(i) The funds remaining after the distributions in subdivisions
 9 (b)(1)(A)-(D) of this section for the fiscal year ending June 30, 2010, and
 10 funds received by the board each July 1 thereafter in an amount not to exceed
 11 one hundred thousand dollars (\$100,000) each fiscal year shall be remitted by
 12 the board to Southern Arkansas University for deposit into the Southern
 13 Arkansas University Fund.

14 (ii) Funds shall be expended exclusively for personal services and
 15 operating expenses of the Southern Arkansas University System.

16 ~~(E)(F)~~ Funds remaining after the distributions in subdivisions
 17 (b)(1)(A)-~~(D)~~(E) of this section shall be deposited to the State Board of
 18 Collection Agencies account in some bank authorized to do business in this
 19 state.

20

21 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 22 this Act for Maintenance and General Operation shall be expended in payment
 23 for services of attorneys, unless the agency shall first make a request in
 24 writing to the Attorney General of the State of Arkansas to provide the
 25 required legal services. The Attorney General's Office shall provide the
 26 requested legal services, or, if the Attorney General's Office shall
 27 determine that sufficient personnel are not available to provide the
 28 requested legal services, the Attorney General shall certify the same to the
 29 agency and may authorize the agency to employ legal counsel and to expend
 30 monies appropriated for Maintenance and General Operations therefor, if:

31 (1) The Attorney General determines, and certifies in writing, that such
 32 agency needs the advice or assistance of legal counsel, and

33 (2) The Attorney General consents in writing to the employment of the
 34 legal counsel to be retained by the agency.

35 Such certification shall be required with respect to each instance of the
 36 employment of special legal counsel, or shall be required annually with

1 respect to legal counsel employed on a retainer basis. A copy of such
2 certification shall be entered in the official minutes of the agency, and
3 shall be retained in the fiscal records of the agency for audit purposes.
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5 *SECTION 6. COMPLIANCE WITH OTHER LAWS.* Disbursement of funds authorized
6 by this act shall be limited to the appropriation for such agency and funds
7 made available by law for the support of such appropriations; and the
8 restrictions of the State Procurement Law, the General Accounting and
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
10 Procedures and Restrictions Act, or their successors, and other fiscal
11 control laws of this State, where applicable, and regulations promulgated by
12 the Department of Finance and Administration, as authorized by law, shall be
13 strictly complied with in disbursement of said funds.
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15 *SECTION 7. LEGISLATIVE INTENT.* It is the intent of the General Assembly
16 that any funds disbursed under the authority of the appropriations contained
17 in this act shall be in compliance with the stated reasons for which this act
18 was adopted, as evidenced by the Agency Requests, Executive Recommendations
19 and Legislative Recommendations contained in the budget manuals prepared by
20 the Department of Finance and Administration, letters, or summarized oral
21 testimony in the official minutes of the Arkansas Legislative Council or
22 Joint Budget Committee which relate to its passage and adoption.
23

24 *SECTION 8. EMERGENCY CLAUSE.* It is found and determined by the General
25 Assembly, that the Constitution of the State of Arkansas prohibits the
26 appropriation of funds for more than a one (1) year period; that the
27 effectiveness of this Act on July 1, 2010 is essential to the operation of
28 the agency for which the appropriations in this Act are provided, and that in
29 the event of an extension of the legislative session, the delay in the
30 effective date of this Act beyond July 1, 2010 could work irreparable harm
31 upon the proper administration and provision of essential governmental
32 programs. Therefore, an emergency is hereby declared to exist and this Act
33 being necessary for the immediate preservation of the public peace, health
34 and safety shall be in full force and effect from and after July 1, 2010.
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36 /s/ Joint Budget Committ *APPROVED: 2/26/2010e*