

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H2/27/09 H3/25/09

A Bill

SENATE BILL 109

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, 2010; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE STATE BOARD OF
16 COLLECTION AGENCIES APPROPRIATION FOR
17 THE 2009-2010 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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 2009-2010 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.
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36

Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2009-2010
1	(1)	X001N BD OF COLLECTION EXECUTIVE DIRECTOR	1	GRADE N902
2	(2)	X130C BD OF COLLECTION FIELD INVESTIGATOR	1	GRADE C116
3	(3)	C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
4	(4)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
5	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 2009-2010 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, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 184,657
(02) EXTRA HELP	5,000
(03) PERSONAL SERVICES MATCHING	55,187
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	86,700
(B) CONF. & TRAVEL	4,500
(C) PROF. FEES	21,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0

1	(05) DHS/UAMS/UCA GRANTS	1,100,000
2	(06) CLAIMS	<u>24,642</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,481,686</u>

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5 SECTION 4. Arkansas Code § 17-24-305, Concerning Fees-Disposition, is
6 amended to read as follows:

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8 (a) The State Board of Collection Agencies may charge an annual license fee
9 not to exceed one hundred twenty-five dollars (\$125) for licensing each
10 collection agency and an annual fee of fifteen dollars (\$15.00) for licensing
11 each employee of the licensed collection agency who as an employee solicits,
12 collects, or attempts to collect any delinquent account or accounts by
13 telephone, mail, personal contact, or otherwise.

14 (b) All income from fees imposed under this section shall be distributed as
15 follows:

16 (1) (A) Beginning July 1, 2006, and each July 1 thereafter, the first
17 one hundred fifteen thousand dollars (\$115,000) in fees received by the board
18 shall be remitted in one (1) payment by the board to the Treasurer of State
19 for the Department of Human Services – Division of Medical Services and
20 deposited into a paying account as determined by the Chief Fiscal Officer of
21 the State to be used in accordance with § 20-10-705.

22 (B) The funds remaining after the distribution in subdivision
23 (b)(1)(A) of this section for the fiscal year ending June 30, 2007, and funds
24 each July 1 thereafter received by the board in an amount not to exceed six
25 hundred thousand dollars (\$600,000) each fiscal year shall be remitted by the
26 board to the University of Arkansas for Medical Sciences for deposit into a
27 financial institution in accordance with the policies of the University of
28 Arkansas. The funds shall be expended for the College of Pharmacy and the
29 College of Nursing in accordance with § 6-64-417.

30 (C) The funds remaining after the distributions in subdivisions
31 (b)(1)(A) and (B) of this section for the fiscal year ending June 30, 2007,
32 and funds received by the board each July 1 thereafter in an amount not to
33 exceed two hundred fifty thousand dollars (\$250,000) each fiscal year shall
34 be remitted by the board to Arkansas State University – Mountain Home for
35 deposit into the Arkansas State University – Mountain Home Fund. The funds
36 shall be expended exclusively for the Arkansas State University – Mountain

1 Home Practical Nurse Program.

2 (D) The funds remaining after the distributions in subdivisions
3 (b)(1)(A)-(C) of this section for the fiscal year ending June 30, 2009, and
4 funds received by the board each July 1 thereafter in an amount not to exceed
5 one hundred thousand dollars (\$100,000) each fiscal year shall be remitted by
6 the board to the University of Central Arkansas for deposit into the
7 University of Central Arkansas Fund. The funds shall be expended exclusively
8 for the University of Central Arkansas Department of Nursing.

9 ~~(D)~~(E) Funds remaining after the distributions in subdivisions
10 (b)(1)(A)-~~(G)~~(D) of this section shall be deposited to the State Board of
11 Collection Agencies account in some bank authorized to do business in this
12 state.

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

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

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

28 Such certification shall be required with respect to each instance of the
29 employment of special legal counsel, or shall be required annually with
30 respect to legal counsel employed on a retainer basis. A copy of such
31 certification shall be entered in the official minutes of the agency, and
32 shall be retained in the fiscal records of the agency for audit purposes.

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34 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
35 by this act shall be limited to the appropriation for such agency and funds
36 made available by law for the support of such appropriations; and the

1 restrictions of the State Procurement Law, the General Accounting and
2 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
3 Procedures and Restrictions Act, or their successors, and other fiscal
4 control laws of this State, where applicable, and regulations promulgated by
5 the Department of Finance and Administration, as authorized by law, shall be
6 strictly complied with in disbursement of said funds.

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

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17 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
18 Assembly, that the Constitution of the State of Arkansas prohibits the
19 appropriation of funds for more than a one (1) year period; that the
20 effectiveness of this Act on July 1, 2009 is essential to the operation of
21 the agency for which the appropriations in this Act are provided, and that in
22 the event of an extension of the Regular Session, the delay in the effective
23 date of this Act beyond July 1, 2009 could work irreparable harm upon the
24 proper administration and provision of essential governmental programs.
25 Therefore, an emergency is hereby declared to exist and this Act being
26 necessary for the immediate preservation of the public peace, health and
27 safety shall be in full force and effect from and after July 1, 2009.

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31 /s/ Joint Budget Committee
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