

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1115

4 By: Joint Budget Committee

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For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE BOARD OF COLLECTION
10 AGENCIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND
11 FOR OTHER PURPOSES."

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Subtitle

14 "AN ACT FOR THE STATE BOARD OF
15 COLLECTION AGENCIES APPROPRIATION FOR
16 THE 1995-97 BIENNIUM."

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

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20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 State Board of Collection Agencies for the 1995-97 biennium, the following
22 maximum number of regular employees whose salaries shall be governed by the
23 provisions of the Uniform Classification and Compensation Act (Arkansas Code
24 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
25 Provided, however, that any position to which a specific maximum annual
26 salary is set out herein in dollars, shall be exempt from the provisions of
27 said Uniform Classification and Compensation Act. All persons occupying
28 positions authorized herein are hereby governed by the provisions of the
29 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
30 or its successor.

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Item	Class		Maximum Annual		
		Maximum	Salary Rate		
		No. of	Fiscal Years		
No.	Code	Title	Employees	1995-96	1996-97

1	(1) 7201 BD OF COLLECTION DIR-INVESTIGATOR	1	\$ 21,103	\$
2	21,630			
3	(2) 8701 BD OF COLLECTIONS ADMIN ASST	<u>1</u>	\$ 19,999	\$
4	20,498			
5	MAX NO. OF EMPLOYEES	2		

7 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
 8 Board of Collection Agencies for the 1995-97 biennium, the following maximum
 9 number of part-time or temporary employees, to be known as "Extra Help",
 10 payable from funds appropriated herein for such purposes: one (1) temporary
 11 or part-time employees, when needed, at rates of pay not to exceed those
 12 provided in the Uniform Classification and Compensation Act, or its
 13 successor, or this act for the appropriate classification.

15 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State
 16 Board of Collection Agencies, to be payable from cash funds as defined by
 17 Arkansas Code 19-4-801 of the State Board of Collection Agencies, for
 18 personal services and operating expenses of the State Board of Collection
 19 ~~Agencies for the biennial period ending June 30, 1997, the following:~~

21	ITEM	FISCAL YEARS	
22	NO.	1995-96	1996-97
23	(01) REGULAR SALARIES	\$ 40,591	\$
24	41,090		
25	(02) EXTRA HELP	250	
26	250		
27	(03) PERSONAL SERV MATCHING	13,214	
28	13,302		
29	(04) MAINT. & GEN. OPERATION		
30	(A) OPER. EXPENSE \$	15,703	\$ 15,703
31	(B) CONF. & TRVL.	900	900
32	(C) PROF. FEES	1,172	1,172
33	(D) CAP. OUTLAY	3,000	3,000
34	(E) DATA PROC.	<u>0</u>	<u>0</u>
35	TOTAL MAINT. & GEN. OPER.		<u>20,775</u>

1 20,775

2 TOTAL AMOUNT APPROPRIATED \$ 74,830 \$

3 75,417

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5 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
6 this Act for Maintenance and General Operation shall be expended in payment
7 for services of attorneys, unless the agency shall first make a request in
8 writing to the Attorney General of the State of Arkansas to provide the
9 required legal services. The Attorney General's Office shall provide the
10 requested legal services, or, if the Attorney General's Office shall
11 determine that sufficient personnel are not available to provide the
12 requested legal services, the Attorney General shall certify the same to the
13 agency and may authorize the agency to employ legal counsel and to expend
14 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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25 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
26 authorized by this Act shall be limited to the appropriation for such agency
27 and funds made available by law for the support of such appropriations; and
28 the restrictions of the State Purchasing Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal
31 control laws of this State, where applicable, and regulations promulgated by
32 the Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.

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35 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations
2 contained in this Act shall be in compliance with the stated reasons for
3 which this Act was adopted, as evidenced by the Agency Requests, Executive
4 Recommendations and Legislative Recommendations contained in the budget
5 manuals prepared by the Department of Finance and Administration, letters, or
6 summarized oral testimony in the official minutes of the Arkansas Legislative
7 Council or Joint Budget Committee which relate to its passage and adoption.

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9 SECTION 7. CODE. All provisions of this Act of a general and
10 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
11 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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13 SECTION 8. SEVERABILITY. If any provision of this Act or the
14 application thereof to any person or circumstance is held invalid, such
15 invalidity shall not affect other provisions or applications of the Act which
16 can be given effect without the invalid provision or application, and to this
17 end the provisions of this Act are declared to be severable.

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19 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
20 with this Act are hereby repealed.

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22 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by
23 the Eightieth General Assembly, that the Constitution of the State of
24 Arkansas prohibits the appropriation of funds for more than a two (2) year
25 period; that the effectiveness of this Act on July 1, 1995 is essential to
26 the operation of the agency for which the appropriations in this Act are
27 provided, and that in the event of an extension of the Regular Session, the
28 delay in the effective date of this Act beyond July 1, 1995 could work
29 irreparable harm upon the proper administration and provision of essential
30 governmental programs. Therefore, an emergency is hereby declared to exist
31 and this Act being necessary for the immediate preservation of the public
32 peace, health and safety shall be in full force and effect from and after
33 July 1, 1995.

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