

Stricken language would be deleted from present law. Underlined language would be added to present law.

As Engrossed: H1/30/97 S2/13/97

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1257

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE STATE BOARD OF COLLECTION
11 AGENCIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND
12 FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE STATE BOARD OF
16 COLLECTION AGENCIES APPROPRIATION FOR
17 THE 1997-99 BIENNIUM."

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

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21 SECTION 1. REGULAR SALARIES. There is hereby established for the State
22 Board of Collection Agencies for the 1997-99 biennium, the following maximum
23 number of regular employees whose salaries shall be governed by the provisions
24 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201
25 et seq.), or its successor, and all laws amendatory thereto. Provided,
26 however, that any position to which a specific maximum annual salary is set
27 out herein in dollars, shall be exempt from the provisions of said Uniform
28 Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.

Item	Class	No. of	Maximum Annual
		Employees	Salary Rate
			Fiscal Years
No.	Code	Title	1997-98 1998-99

1	(1) 7201 BD OF COLLECTION DIR-INVESTIGATOR	1	\$ 45,626	\$ 46,902
2	(2) 8701 BD OF COLLECTIONS ADMIN ASST	1	\$ 21,619	\$ 22,224
3	(3) 9021 COLLECTIONS BD FIELD INVESTIGATOR	<u>1</u>	\$ 18,900	\$ 19,429
4	MAX NO. OF EMPLOYEES	3		

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Collection Agencies for the 1997-99 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. APPROPRIATIONS. 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 for the biennial period ending June 30, 1999, the following:

ITEM	FISCAL YEARS	
NO.	1997-98	1998-99
(01) REGULAR SALARIES	\$ 86,145	\$ 88,555
(02) EXTRA HELP	5,000	5,000
(03) PERSONAL SERV MATCHING	25,038	25,464
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	31,600	31,600
(B) CONF. & TRVL.	1,200	
1,200		
(C) PROF. FEES	2,000	2,000
(D) CAP. OUTLAY	4,500	4,500
(E) DATA PROC.	0	0
(05) CLAIMS	<u>25,000</u>	<u>25,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 180,483</u>	<u>\$ 183,319</u>

SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in

1 this Act for Maintenance and General Operation shall be expended in payment
2 for services of attorneys, unless the agency shall first make a request in
3 writing to the Attorney General of the State of Arkansas to provide the
4 required legal services. The Attorney General's Office shall provide the
5 requested legal services, or, if the Attorney General's Office shall determine
6 that sufficient personnel are not available to provide the requested legal
7 services, the Attorney General shall certify the same to the agency and may
8 authorize the agency to employ legal counsel and to expend monies appropriated
9 for Maintenance and General Operations therefor, if:

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

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

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

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

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30 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
31 Assembly that any funds disbursed under the authority of the appropriations
32 contained in this Act shall be in compliance with the stated reasons for which
33 this Act was adopted, as evidenced by the Agency Requests, Executive
34 Recommendations and Legislative Recommendations contained in the budget
35 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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17 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
18 Eighty-First General Assembly, that the Constitution of the State of Arkansas
19 prohibits the appropriation of funds for more than a two (2) year period; that
20 the effectiveness of this Act on July 1, 1997 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, 1997 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, 1997.

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/s/Rep. Thicksten, et al

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