

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 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1214

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE STATE BANK DEPARTMENT
11 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR
12 OTHER PURPOSES.

Subtitle

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15 AN ACT FOR THE STATE BANK DEPARTMENT
16 APPROPRIATION FOR THE 2001-2003
17 BIENNIAL PERIOD.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the State
24 Bank Department for the 2001-2003 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 Classification
30 and Compensation Act. All persons occupying positions authorized herein are
31 hereby governed by the provisions of the Regular Salaries Procedures and
32 Restrictions Act (Arkansas Code §21-5-101), or its successor.
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Item Class	Maximum No. of	Maximum Annual Salary Rate Fiscal Years
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No.	Code	Title	Employees	2001-2002	2002-2003
(1)	9908	DIRECTOR BANK DEPARTMENT	1	\$103,342	\$106,028
(2)	7347	BANK ASSISTANT COMMISSIONER	2	\$81,499	\$83,617
(3)	020Z	BANK CHIEF EXAMINER	2	GRADE 26	
(4)	A021	BANK ASSISTANT CHIEF EXAMINER	2	GRADE 25	
(5)	D131	BANK DP ADMINISTRATOR	1	GRADE 25	
(6)	A130	BANK REVIEW ADMINISTRATOR	9	GRADE 24	
(7)	D041	BANK SENIOR DP EXAMINER	2	GRADE 24	
(8)	D064	SR SYSTEMS PROGRAMMER	2	GRADE 24	
(9)	A014	BANK SENIOR EXAMINER	30	GRADE 23	
(10)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
(11)	R160	BANK TRAINING & EMPLOYMENT SVCS MGR	1	GRADE 21	
(12)	A124	ACCOUNTING SERVICES REP II	1	GRADE 20	
(13)	A042	FINANCIAL EXAMINER II	10	GRADE 20	
(14)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
(15)	A111	ACCOUNTANT	1	GRADE 18	
(16)	R010	ADMINISTRATIVE ASSISTANT II	5	GRADE 17	
		MAX. NO. OF EMPLOYEES	72		

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Bank Department for the 2001-2003 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, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 3,945,045	\$ 4,047,601
(02) EXTRA HELP	5,000	5,000

1	(03) PERSONAL SERV MATCHING	910,131	929,049
2	(04) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	889,200	1,057,200
4	(B) CONF. & TRAVEL	229,175	229,175
5	(C) PROF. FEES	70,700	70,700
6	(D) CAP. OUTLAY	246,390	379,868
7	(E) DATA PROC.	<u>0</u>	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 6,295,641</u>	<u>\$ 6,718,593</u>

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

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

20 CLASS

21	CODE	TITLE	GRADE	BAND
22	O20Z	Bank Chief Examiner	26	IV
23	A021	Bank Assistant Chief Examiner	25	IV
24	D131	Bank DP Administrator	25	IV
25	D041	Bank Senior DP Examiner	24	IV
26	A130	Bank Review Administrator	24	IV
27	A014	Bank Senior Examiner	23	IV
28	D074	Bank Jr. DP Examiner	22	IV
29	D038	Systems Programmer	22	IV
30	R160	Bank Training and Employment Svcs. Mgr.	21	IV
31	A042	Financial Examiner II	20	IV
32	A040	Financial Examiner I	18	IV
33	A045	Financial Examiner Trainee	17	IV

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

1 (c) This special provision shall be in full force and effect for the
2 biennium beginning July 1, ~~1999~~ 2001 and ending June 30, ~~2001~~ 2003.

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

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6 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
7 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BANK EXAMINERS
8 - RECRUITMENT. (a) Due to the necessity of recruiting and retaining qualified
9 personnel, the following titles are available to the State Bank Department for
10 the employment of bank examiners:

11 CLASS

12 CODE	TITLE	GRADE
13 A014	Bank Senior Examiner	23
14 A042	Financial Examiner II	20
15 A040	Financial Examiner I	18
16 A045	Financial Examiner Trainee	17

17 (b) As bank examiner personnel qualify for promotion, the State Personnel
18 Administrator may approve position reclassifications to a higher level
19 classification employing the titles listed in subsection (a) of this section.

20 (c) The State Bank Department shall be limited to a maximum of thirty
21 (30) filled positions in utilizing the title of Bank Senior Examiner/Grade 23
22 and thirteen (13) filled positions in utilizing the title of Financial
23 Examiner II/Grade 20. At no time during the ~~1999-01~~ 2001-2003 Biennium shall
24 the combined use of both titles referenced in this subsection exceed forty-
25 three (43) total.

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

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29 SECTION 6. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
30 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
31 appropriations as provided in this Act, the agency disbursing officer shall
32 monitor the level of fund balances in relation to expenditures on a monthly
33 basis. If any proposed expenditures would cause a fund balance to decline to
34 less than fifty percent (50%) of the balance available on July 1, 2001, the
35 disbursing officer shall immediately notify the executive head of the agency.
36 Prior to any obligations being made under these circumstances, the agency

1 head shall file written documentation with the Chief Fiscal Officer of the
2 State requesting approval of the expenditures. Such documentation shall
3 provide sufficient financial data to justify the expenditures and shall
4 include the following:

- 5 1) a plan that clearly indicates the specific fiscal impact of such
6 expenditures on the fund balance.
- 7 2) information clearly indicating and explaining what programs would be cut or
8 any other measures to be taken by the agency to restore the fund balance.
- 9 3) the extent to which any of the planned expenditures are for one-time costs
10 or one-time purchase of capitalized items.
- 11 4) a statement certifying that the expenditure of fund balances will not
12 jeopardize the financial health of the agency, nor result in a permanent
13 depletion of the fund balance.

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

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18 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
19 this act shall be limited to the appropriation for such agency and funds made
20 available by law for the support of such appropriations; and the restrictions
21 of the State Purchasing Law, the General Accounting and Budgetary Procedures
22 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
23 Restrictions Act, or their successors, and other fiscal control laws of this
24 State, where applicable, and regulations promulgated by the Department of
25 Finance and Administration, as authorized by law, shall be strictly complied
26 with in disbursement of said funds.

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

1 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
2 Assembly, that the Constitution of the State of Arkansas prohibits the
3 appropriation of funds for more than a two (2) year period; that the
4 effectiveness of this Act on July 1, 2001 is essential to the operation of the
5 agency for which the appropriations in this Act are provided, and that in the
6 event of an extension of the Regular Session, the delay in the effective date
7 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
8 administration and provision of essential governmental programs. Therefore, an
9 emergency is hereby declared to exist and this Act being necessary for the
10 immediate preservation of the public peace, health and safety shall be in full
11 force and effect from and after July 1, 2001.

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