

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

SENATE BILL 674

4
5 By: Joint Budget Committee

For An Act To Be Entitled

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

Subtitle

15 AN ACT FOR THE STATE BOARD OF COLLECTION
16 AGENCIES 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:

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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 2001-2003 biennium, 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

TWV072

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Item	Class		Maximum	Salary Rate	
No.	Code	Title	No. of	Fiscal Years	
			Employees	2001-2002	2002-2003
(1)	7201	EXECUTIVE DIR-BD OF COLLECTION	1	\$63,283	\$64,928
(2)	9021	COLLECTIONS BD FIELD INVESTIGATOR	1	\$32,527	\$33,372
(3)	8702	BRD COLLECTIONS AGCY FISCAL/ADM MGR	1	\$30,224	\$31,009
(4)	8701	BD OF COLLECTIONS ADMIN ASST	1	\$24,648	\$25,288
		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 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. APPROPRIATIONS - 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 biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 150,682	\$ 154,597
(02) EXTRA HELP	5,000	5,000
(03) PERSONAL SERV MATCHING	38,954	39,650
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	58,175	59,481
(B) CONF. & TRAVEL	3,000	3,000
(C) PROF. FEES	2,800	2,800
(D) CAP. OUTLAY	7,500	7,500
(E) DATA PROC.	935	935

1	(05) CLAIMS	<u>24,642</u>	<u>24,642</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 291,688</u>	<u>\$ 297,605</u>

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4 SECTION 4. REGULAR SALARIES - DIVISION OF CHECK CASHING. There is hereby

5 established for the State Board of Collection Agencies - Division of Check

6 Cashing for the 2001-2003 biennium, the following maximum number of regular

7 employees whose salaries shall be governed by the provisions of the Uni form

8 Classi fication and Compensation Act (Arkansas Code §§21-5-201 et seq.), or

9 its successor, and all laws amendatory thereto. Provided, however, that any

10 position to which a specific maximum annual salary is set out herein in

11 dollars, shall be exempt from the provisions of said Uni form Classi fication

12 and Compensation Act. All persons occupying positions authorized herein are

13 hereby governed by the provisions of the Regular Salaries Procedures and

14 Restrictions Act (Arkansas Code §21-5-101), or its successor.

16				Maximum Annual		
17				Maximum	Salary Rate	
18	Item	Class		No. of	Fiscal Years	
19	No.	Code	Title	Empl oyees	2001-2002	2002-2003
20	(1)	9021	COLLECTIONS BD FIELD INVESTIGATOR	1	\$32,527	\$33,372
21	(2)	8701	BD OF COLLECTIONS ADMIN ASST	<u>1</u>	\$24,648	\$25,288
22			MAX. NO. OF EMPLOYEES	2		

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24 SECTION 5. EXTRA HELP - DIVISION OF CHECK CASHING. There is hereby

25 authorized, for the State Board of Collection Agencies - Division of Check

26 Cashing for the 2001-2003 biennium, the following maximum number of part-time

27 or temporary employees, to be known as "Extra Help", payable from funds

28 appropriated herein for such purposes: one (1) temporary or part-time

29 employees, when needed, at rates of pay not to exceed those provided in the

30 Uni form Classi fication and Compensation Act, or its successor, or this act

31 for the appropriate classi fication.

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33 SECTION 6. APPROPRIATIONS - DIVISION OF CHECK CASHING. There is hereby

34 appropriated, to the State Board of Collection Agencies, to be payable from

35 cash funds as defined by Arkansas Code 19-4-801 of the State Board of

36 Collection Agencies, for personal services and operating expenses of the

1 State Board of Collection Agencies - Division of Check Cashing for the
 2 biennial period ending June 30, 2003, the following:

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5 ITEM	FISCAL YEARS	
6 <u>NO.</u>	2001-2002	2002-2003
7 (01) REGULAR SALARIES	\$ 57,175	\$ 58,660
8 (02) EXTRA HELP	5,000	5,000
9 (03) PERSONAL SERV MATCHING	16,448	16,713
10 (04) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE	45,700	47,006
12 (B) CONF. & TRAVEL	2,300	2,300
13 (C) PROF. FEES	4,000	4,000
14 (D) CAP. OUTLAY	7,500	7,500
15 (E) DATA PROC.	<u>800</u>	<u>800</u>
16 TOTAL AMOUNT APPROPRIATED	<u>\$ 138,923</u>	<u>\$ 141,979</u>

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18 SECTION 7. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 19 this Act for Maintenance and General Operation shall be expended in payment
 20 for services of attorneys, unless the agency shall first make a request in
 21 writing to the Attorney General of the State of Arkansas to provide the
 22 required legal services. The Attorney General's Office shall provide the
 23 requested legal services, or, if the Attorney General's Office shall
 24 determine that sufficient personnel are not available to provide the
 25 requested legal services, the Attorney General shall certify the same to the
 26 agency and may authorize the agency to employ legal counsel and to expend
 27 monies appropriated for Maintenance and General Operations therefor, if:

- 28 (1) The Attorney General determines, and certifies in writing, that such
 29 agency needs the advice or assistance of legal counsel, and
- 30 (2) The Attorney General consents in writing to the employment of the
 31 legal counsel to be retained by the agency.

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

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2 SECTION 8. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED

3 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all

4 appropriations as provided in this Act, the agency disbursing officer shall

5 monitor the level of fund balances in relation to expenditures on a monthly

6 basis. If any proposed expenditures would cause a fund balance to decline to

7 less than fifty percent (50%) of the balance available on July 1, 2001, the

8 disbursing officer shall immediately notify the executive head of the agency.

9 Prior to any obligations being made under these circumstances, the agency

10 head shall file written documentation with the Chief Fiscal Officer of the

11 State requesting approval of the expenditures. Such documentation shall

12 provide sufficient financial data to justify the expenditures and shall

13 include the following:

14 1) a plan that clearly indicates the specific fiscal impact of such

15 expenditures on the fund balance.

16 2) information clearly indicating and explaining what programs would be cut

17 or any other measures to be taken by the agency to restore the fund balance.

18 3) the extent to which any of the planned expenditures are for one-time costs

19 or one-time purchase of capitalized items.

20 4) a statement certifying that the expenditure of fund balances will not

21 jeopardize the financial health of the agency, nor result in a permanent

22 depletion of the fund balance.

23 (B) The Chief Fiscal Officer of the State shall review the request and

24 approve or disapprove all or any part of the request , after having sought

25 prior review by the Legislative Council.

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27 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

28 by this act shall be limited to the appropriation for such agency and funds

29 made available by law for the support of such appropriations; and the

30 restrictions of the State Purchasing Law, the General Accounting and

31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

32 Procedures and Restrictions Act, or their successors, and other fiscal

33 control laws of this State, where applicable, and regulations promulgated by

34 the Department of Finance and Administration, as authorized by law, shall be

35 strictly complied with in disbursement of said funds.

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

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

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