

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 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 1165

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

8  
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE STATE  
11 BANK DEPARTMENT FOR THE BIENNIAL PERIOD ENDING  
12 JUNE 30, 2007; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE STATE BANK DEPARTMENT  
16 APPROPRIATION FOR THE 2005-2007  
17 BIENNIUM.  
18  
19  
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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 2005-2007 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  
30 Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 successor.  
34

35  
36  
Maximum Annual  
Maximum Salary Rate



Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2005-2006	2006-2007
3	(1)	9908 DIRECTOR BANK DEPARTMENT	1	\$113,300	\$115,909
4	(2)	7347 BANK ASSISTANT COMMISSIONER	2	\$89,848	\$92,105
5	(3)	020Z BANK CHIEF EXAMINER	2	GRADE	26
6	(4)	A021 BANK ASSISTANT CHIEF EXAMINER	2	GRADE	25
7	(5)	D131 BANK IT ADMINISTRATOR	1	GRADE	25
8	(6)	A130 BANK REVIEW ADMINISTRATOR	9	GRADE	24
9	(7)	D064 SR SYSTEMS PROGRAMMER	2	GRADE	24
10	(8)	A014 BANK SENIOR EXAMINER	47	GRADE	23
11	(9)	A032 AGENCY FISCAL MANAGER	1	GRADE	22
12	(10)	R160 BANK TRAINING & EMPLOYMENT SVCS MGR	1	GRADE	21
13	(11)	R266 MANAGEMENT PROJECT ANALYST II	2	GRADE	20
14	(12)	A124 ACCOUNTING SERVICES REP II	1	GRADE	20
15	(13)	A111 ACCOUNTANT	1	GRADE	18
16	(14)	R010 ADMINISTRATIVE ASSISTANT II	<u>5</u>	GRADE	17
17		MAX. NO. OF EMPLOYEES	77		

18

19 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Bank  
 20 Department for the 2005-2007 biennium, the following maximum number of part-  
 21 time or temporary employees, to be known as "Extra Help", payable from funds  
 22 appropriated herein for such purposes: one (1) temporary or part-time  
 23 employees, when needed, at rates of pay not to exceed those provided in the  
 24 Uniform Classification and Compensation Act, or its successor, or this act  
 25 for the appropriate classification.

26

27 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to  
 28 the State Bank Department, to be payable from the Bank Department Fund, for  
 29 personal services and operating expenses of the State Bank Department for the  
 30 biennial period ending June 30, 2007, the following:

31

ITEM	FISCAL YEARS		
	NO.	2005-2006	2006-2007
34	(01) REGULAR SALARIES	\$ 4,812,146	\$ 4,944,475
35	(02) EXTRA HELP	5,000	5,000
36	(03) PERSONAL SERVICES MATCHING	1,199,495	1,224,326

1	(04) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	1,269,108	1,269,108
3	(B) CONF. & TRAVEL	277,030	277,030
4	(C) PROF. FEES	170,000	170,000
5	(D) CAP. OUTLAY	200,000	200,000
6	(E) DATA PROC.	<u>0</u>	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,932,779</u>	<u>\$ 8,089,939</u>

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

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

19 CLASS

20	CODE	TITLE	GRADE	BAND
21	020Z	Bank Chief Examiner	26	IV
22	A021	Bank Assistant Chief Examiner	25	IV
23	<del>D041</del>	<del>Bank Senior IS Examiner</del>	<del>24</del>	<del>IV</del>
24	A130	Bank Review Administrator	24	IV
25	A014	Bank Senior Examiner	23	IV
26	<del>D074</del>	<del>Bank Jr. IS Examiner</del>	<del>22</del>	<del>IV</del>
27	A042	Financial Examiner II	20	IIIM
28	A040	Financial Examiner I	18	III
29	A045	Financial Examiner Trainee	17	III

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

33 (c) Labor market rates will be established as needed for classifications  
 34 not covered by the provisions of this section.

35 (d) A current plan of progression should be filed with the Office of  
 36 Personnel Management on a biennial basis.

1 This special provision shall be in full force and effect for the biennium  
 2 beginning July 1, ~~2003~~ 2005 and ending June 30, ~~2005~~ 2007.

3  
 4 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
 6 BALANCES - BANK DEPARTMENT FUND. (A) For all appropriations as provided in  
 7 this Act, the agency disbursing officer shall monitor the level of fund  
 8 balances in relation to expenditures on a monthly basis. If any proposed  
 9 expenditures would cause the Bank Department Fund to decline below six  
 10 hundred forty six thousand two hundred and eighty six dollars (\$646,286), the  
 11 disbursing officer shall immediately notify the executive head of the agency.  
 12 Prior to any obligations being made under these circumstances, the agency  
 13 head shall file written documentation with the Chief Fiscal Officer of the  
 14 State requesting approval of the expenditures. Such documentation shall  
 15 provide sufficient financial data to justify the expenditures and shall  
 16 include the following:

- 17 1) a plan that clearly indicates the specific fiscal impact of such
- 18 expenditures on the fund balance.
- 19 2) information clearly indicating and explaining what programs would be cut
- 20 or any other measures to be taken by the agency to restore the fund balance.
- 21 3) the extent to which any of the planned expenditures are for one-time costs
- 22 or one-time purchase of capitalized items.
- 23 4) a statement certifying that the expenditure of fund balances will not
- 24 jeopardize the financial health of the agency, nor result in a permanent
- 25 depletion of the fund balance.

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

29 The provisions of this section shall be in effect only from July 1, ~~2003~~  
 30 2005 through June 30, ~~2005~~ 2007.

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 32 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 33 by this act shall be limited to the appropriation for such agency and funds  
 34 made available by law for the support of such appropriations; and the  
 35 restrictions of the State Procurement Law, the General Accounting and  
 36 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

1 Procedures and Restrictions Act, or their successors, and other fiscal  
2 control laws of this State, where applicable, and regulations promulgated by  
3 the Department of Finance and Administration, as authorized by law, shall be  
4 strictly complied with in disbursement of said funds.

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

14  
15 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
16 Assembly, that the Constitution of the State of Arkansas prohibits the  
17 appropriation of funds for more than a two (2) year period; that the  
18 effectiveness of this Act on July 1, 2005 is essential to the operation of  
19 the agency for which the appropriations in this Act are provided, and that in  
20 the event of an extension of the Regular Session, the delay in the effective  
21 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
22 proper administration and provision of essential governmental programs.  
23 Therefore, an emergency is hereby declared to exist and this Act being  
24 necessary for the immediate preservation of the public peace, health and  
25 safety shall be in full force and effect from and after July 1, 2005.