

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
4

A Bill

SENATE BILL 92

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE STATE
11 BOARD OF COLLECTION AGENCIES FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE STATE BOARD OF
17 COLLECTION AGENCIES APPROPRIATION FOR
18 THE 2005-2007 BIENNIUM.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - DIVISION OF COLLECTIONS. There is hereby
25 established for the State Board of Collection Agencies - Division of
26 Collections for the 2005-2007 biennium, the following maximum number of
27 regular employees whose salaries shall be governed by the provisions of the
28 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
29 seq.), or its successor, and all laws amendatory thereto. Provided, however,
30 that any position to which a specific maximum annual salary is set out herein
31 in dollars, shall be exempt from the provisions of said Uniform
32 Classification and Compensation Act. All persons occupying positions
33 authorized herein are hereby governed by the provisions of the Regular
34 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
35 successor.
36



Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2005-2006	2006-2007
(1)	7201	EXECUTIVE DIR-BD OF COLLECTION	1	\$70,072	\$71,953
(2)	9021	COLLECTIONS BD FIELD INVESTIGATOR	1	\$36,254	\$37,341
(3)	8702	BRD COLLECTIONS AGCY FISCAL/ADM MGR	1	\$36,249	\$37,336
(4)	8701	BD OF COLLECTIONS ADMIN ASST	<u>1</u>	\$27,473	\$28,297
		MAX. NO. OF EMPLOYEES	4		

10

11 SECTION 2. EXTRA HELP - DIVISION OF COLLECTIONS. There is hereby
 12 authorized, for the State Board of Collection Agencies - Division of
 13 Collections for the 2005-2007 biennium, the following maximum number of part-
 14 time or temporary employees, to be known as "Extra Help", payable from funds
 15 appropriated herein for such purposes: one (1) temporary or part-time
 16 employees, when needed, at rates of pay not to exceed those provided in the
 17 Uniform Classification and Compensation Act, or its successor, or this act
 18 for the appropriate classification.

19

20 SECTION 3. APPROPRIATIONS - DIVISION OF COLLECTIONS. There is hereby
 21 appropriated, to the State Board of Collection Agencies, to be payable from
 22 cash funds as defined by Arkansas Code 19-4-801 of the State Board of
 23 Collection Agencies, for personal services and operating expenses of the
 24 State Board of Collection Agencies - Division of Collections for the biennial
 25 period ending June 30, 2007, the following:

26

ITEM NO.		FISCAL YEARS	
		2005-2006	2006-2007
(01)	REGULAR SALARIES	\$ 170,048	\$ 174,927
(02)	EXTRA HELP	5,000	5,000
(03)	PERSONAL SERVICES MATCHING	52,913	53,975
(04)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSE	59,481	59,481
	(B) CONF. & TRAVEL	4,500	4,500
	(C) PROF. FEES	2,800	2,800
	(D) CAP. OUTLAY	0	0

36

1	(E) DATA PROC.	935	935
2	(05) CLAIMS	<u>24,642</u>	<u>24,642</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 320,319</u>	<u>\$ 326,260</u>

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5 SECTION 4. REGULAR SALARIES - DIVISION OF CHECK CASHING. There is hereby
6 established for the State Board of Collection Agencies - Division of Check
7 Cashing for the 2005-2007 biennium, the following maximum number of regular
8 employees whose salaries shall be governed by the provisions of the Uniform
9 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
10 its successor, and all laws amendatory thereto. Provided, however, that any
11 position to which a specific maximum annual salary is set out herein in
12 dollars, shall be exempt from the provisions of said Uniform Classification
13 and Compensation Act. All persons occupying positions authorized herein are
14 hereby governed by the provisions of the Regular Salaries Procedures and
15 Restrictions Act (Arkansas Code §21-5-101), or its successor.

16

17			Maximum Annual		
18			Salary Rate		
19	Item	Class	Maximum	Fiscal Years	
20	No.	Code Title	No. of	2005-2006	2006-2007
			Employees		
21	(1)	9021 COLLECTIONS BD FIELD INVESTIGATOR	1	\$36,254	\$37,341
22	(2)	8701 BD OF COLLECTIONS ADMIN ASST	<u>1</u>	\$27,473	\$28,297
23		MAX. NO. OF EMPLOYEES	2		

24

25 SECTION 5. EXTRA HELP - DIVISION OF CHECK CASHING. There is hereby
26 authorized, for the State Board of Collection Agencies - Division of Check
27 Cashing for the 2005-2007 biennium, the following maximum number of part-time
28 or temporary employees, to be known as "Extra Help", payable from funds
29 appropriated herein for such purposes: one (1) temporary or part-time
30 employees, when needed, at rates of pay not to exceed those provided in the
31 Uniform Classification and Compensation Act, or its successor, or this act
32 for the appropriate classification.

33

34 SECTION 6. APPROPRIATIONS - DIVISION OF CHECK CASHING. There is hereby
35 appropriated, to the State Board of Collection Agencies, to be payable from
36 cash funds as defined by Arkansas Code 19-4-801 of the State Board of

1 Collection Agencies, for personal services and operating expenses of the
 2 State Board of Collection Agencies – Division of Check Cashing for the
 3 biennial period ending June 30, 2007, the following:

5 ITEM	FISCAL YEARS	
6 <u>NO.</u>	2005-2006	2006-2007
7 (01) REGULAR SALARIES	\$ 63,727	\$ 65,638
8 (02) EXTRA HELP	5,000	5,000
9 (03) PERSONAL SERVICES MATCHING	22,088	22,503
10 (04) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE	49,006	49,006
12 (B) CONF. & TRAVEL	2,300	2,300
13 (C) PROF. FEES	4,000	4,000
14 (D) CAP. OUTLAY	0	0
15 (E) DATA PROC.	<u>800</u>	<u>800</u>
16 TOTAL AMOUNT APPROPRIATED	<u>\$ 146,921</u>	<u>\$ 149,247</u>

17
 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.

1
2 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
3 by this act shall be limited to the appropriation for such agency and funds
4 made available by law for the support of such appropriations; and the
5 restrictions of the State Procurement Law, the General Accounting and
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
7 Procedures and Restrictions Act, or their successors, and other fiscal
8 control laws of this State, where applicable, and regulations promulgated by
9 the Department of Finance and Administration, as authorized by law, shall be
10 strictly complied with in disbursement of said funds.

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

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21 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
22 Assembly, that the Constitution of the State of Arkansas prohibits the
23 appropriation of funds for more than a two (2) year period; that the
24 effectiveness of this Act on July 1, 2005 is essential to the operation of
25 the agency for which the appropriations in this Act are provided, and that in
26 the event of an extension of the Regular Session, the delay in the effective
27 date of this Act beyond July 1, 2005 could work irreparable harm upon the
28 proper administration and provision of essential governmental programs.
29 Therefore, an emergency is hereby declared to exist and this Act being
30 necessary for the immediate preservation of the public peace, health and
31 safety shall be in full force and effect from and after July 1, 2005.