

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 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

SENATE BILL 76

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, 2009; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE STATE BOARD OF  
17 COLLECTION AGENCIES APPROPRIATION FOR  
18 THE 2007-2009 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 2007-2009 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	
				2007-2008	2008-2009
(1)	7201	EXECUTIVE DIR-BD OF COLLECTION	1	\$73,392	\$74,859
(2)	9021	COLLECTIONS BD FIELD INVESTIGATOR	1	\$38,087	\$38,848
(3)	8702	BRD COLLECTIONS AGCY FISCAL/ADM MGR	1	\$38,082	\$38,843
(4)	8701	BD OF COLLECTIONS ADMIN ASST	<u>1</u>	\$28,862	\$29,439
		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 2007-2009 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, 2009, the following:

26

27

ITEM NO.		FISCAL YEARS	
		2007-2008	2008-2009
(01)	REGULAR SALARIES	\$ 179,923	\$ 183,489
(02)	EXTRA HELP	5,000	5,000
(03)	PERSONAL SERVICES MATCHING	53,431	54,152
(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

36

1	(D) CAP. OUTLAY	0	0
2	(E) DATA PROC.	935	935
3	(05) DHHS & UAMS GRANTS	1,000,000	1,000,000
4	(06) CLAIMS	<u>24,642</u>	<u>24,642</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,330,712</u>	<u>\$ 1,334,999</u>

6

7 SECTION 4. REGULAR SALARIES - DIVISION OF CHECK CASHING. There is hereby  
 8 established for the State Board of Collection Agencies - Division of Check  
 9 Cashing for the 2007-2009 biennium, the following maximum number of regular  
 10 employees whose salaries shall be governed by the provisions of the Uniform  
 11 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
 12 its successor, and all laws amendatory thereto. Provided, however, that any  
 13 position to which a specific maximum annual salary is set out herein in  
 14 dollars, shall be exempt from the provisions of said Uniform Classification  
 15 and Compensation Act. All persons occupying positions authorized herein are  
 16 hereby governed by the provisions of the Regular Salaries Procedures and  
 17 Restrictions Act (Arkansas Code §21-5-101), or its successor.

18

19			Maximum Annual		
20			Maximum	Salary Rate	
21	Item	Class	No. of	Fiscal Years	
22	No.	Code Title	Employees	2007-2008	2008-2009
23	(1)	9021 COLLECTIONS BD FIELD INVESTIGATOR	3	\$38,087	\$38,848
24	(2)	8701 BD OF COLLECTIONS ADMIN ASST	<u>1</u>	\$28,862	\$29,439
25		MAX. NO. OF EMPLOYEES	4		

26

27 SECTION 5. EXTRA HELP - DIVISION OF CHECK CASHING. There is hereby  
 28 authorized, for the State Board of Collection Agencies - Division of Check  
 29 Cashing for the 2007-2009 biennium, the following maximum number of part-time  
 30 or temporary employees, to be known as "Extra Help", payable from funds  
 31 appropriated herein for such purposes: one (1) temporary or part-time  
 32 employees, when needed, at rates of pay not to exceed those provided in the  
 33 Uniform Classification and Compensation Act, or its successor, or this act  
 34 for the appropriate classification.

35

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

1 appropriated, to the State Board of Collection Agencies, to be payable from  
 2 cash funds as defined by Arkansas Code 19-4-801 of the State Board of  
 3 Collection Agencies, for personal services and operating expenses of the  
 4 State Board of Collection Agencies - Division of Check Cashing for the  
 5 biennial period ending June 30, 2009, the following:

7 ITEM	FISCAL YEARS	
8 NO.	2007-2008	2008-2009
9 (01) REGULAR SALARIES	\$ 143,123	\$ 145,983
10 (02) EXTRA HELP	5,000	5,000
11 (03) PERSONAL SERVICES MATCHING	46,168	46,749
12 (04) MAINT. & GEN. OPERATION		
13 (A) OPER. EXPENSE	71,006	69,006
14 (B) CONF. & TRAVEL	3,300	3,300
15 (C) PROF. FEES	67,800	67,800
16 (D) CAP. OUTLAY	0	0
17 (E) DATA PROC.	<u>800</u>	<u>800</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$ 337,197</u>	<u>\$ 338,638</u>

19  
 20 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

22 Fees - Disposition.

23 (a) The State Board of Collection Agencies may charge an annual license  
 24 fee not to exceed one hundred twenty-five dollars (\$125) for licensing each  
 25 collection agency and an annual fee of fifteen dollars (\$15.00) for licensing  
 26 each employee of the licensed collection agency who as an employee solicits,  
 27 collects, or attempts to collect any delinquent account or accounts by  
 28 telephone, mail, personal contact, or otherwise.

29 (b) All income from fees imposed under this section shall be distributed  
 30 as follows:

31 (1) Beginning July 1, 2005 the first one hundred and fifteen thousand  
 32 dollars (\$115,000) shall be remitted in one payment by the board to the  
 33 Treasurer of State for the Department of Health and Human Services - Division  
 34 of Medical Services and deposited into a paying account as determined by the  
 35 Chief Fiscal Officer of the State to be used in accordance with Arkansas Code  
 36 20-10-705.

1 (2) All funds remaining after the distribution in subdivision (b)(1)  
 2 of this section received during the fiscal year ending June 30, 2006, shall  
 3 be remitted by the board to the University of Arkansas for Medical Sciences  
 4 for deposit in a financial institution in accordance with the policies of the  
 5 University of Arkansas. The funds shall be expended for the College of  
 6 Pharmacy and the College of Nursing in accordance with § 6-64-417; and

7 (3)(A) Beginning July 1, 2006 and each July 1 thereafter, the first  
 8 one hundred and fifteen thousand dollars (\$115,000) in fees received by the  
 9 board shall be remitted in one payment by the board to the Treasurer of State  
 10 for the Department of Health and Human Services - Division of Medical  
 11 Services and deposited into a paying account as determined by the Chief  
 12 Fiscal Officer of the State to be used in accordance with Arkansas Code 20-  
 13 10-705.

14 (B) The funds remaining after the distribution in subdivision (3)(A)  
 15 for the fiscal year ending June 30, 2007 and funds each July 1 thereafter  
 16 received by the board in an amount not to exceed six hundred thousand dollars  
 17 (\$600,000) each fiscal year shall be remitted by the board to the University  
 18 of Arkansas for Medical Sciences for deposit into a financial institution in  
 19 accordance with the policies of the University of Arkansas. The funds shall  
 20 be expended for the College of Pharmacy and the College of Nursing in  
 21 accordance with § 6-64-417.

22 (C) Funds remaining after the distributions in subdivisions (b)(3)(A)  
 23 and (b)(3)(B) of this section shall be deposited to the State Board of  
 24 Collection Agencies account in some bank authorized to do business in this  
 25 state.

26  
 27 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

29 College of Nursing and College of Pharmacy program improvements.

30 (a) Funds received from the State Board of Collection Agencies under  
 31 § 17-24-305 by the University of Arkansas for Medical Sciences and any  
 32 interest earnings on the funds by the University of Arkansas for Medical  
 33 Sciences shall be used exclusively as follows:

34 (1) Two-thirds (2/3) of the funds shall be used within the College of  
 35 Nursing for:

36 (A) Scholarships and stipends for nursing students who are

1 candidates for bachelor's or master's degrees or degrees beyond a master's  
 2 degree; and

3 (B) Salary improvements for purposes of retaining and attracting  
 4 nursing school faculty; and

5 (2) One-third (1/3) of the funds shall be used within the College of  
 6 Pharmacy for:

7 (A) Scholarships and stipends for pharmacy students;

8 (B) Facility improvements required to expand the enrollment of  
 9 pharmacy students; and

10 (C) Salary improvements for purposes of retaining and attracting  
 11 pharmacy school faculty.

12 (b)(1) The Dean of the University of Arkansas for Medical Sciences  
 13 College of Nursing shall allocate the funds made available to the College of  
 14 Nursing under this section.

15 (2) The Graduate Nurse Educator Loan and Scholarship Board shall make  
 16 recommendations to the dean regarding the recipients of annual awards,  
 17 stipends, and scholarships.

18 (3) A recipient of a scholarship or stipend under this subsection (b)  
 19 must be a resident of the State of Arkansas.

20 (c)(1) The Dean of the University of Arkansas for Medical Sciences  
 21 College of Pharmacy shall allocate the funds made available to the College of  
 22 Pharmacy under this section.

23 (2) Using financial aid and academic performance data, the University  
 24 of Arkansas for Medical Sciences College of Pharmacy Awards and Financial Aid  
 25 Committee will make recommendations to the faculty regarding the recipients  
 26 of annual awards, stipends, and scholarships.

27 (3) A recipient of a stipend or scholarship under this subsection (c):

28 (A) Must be a resident of the State of Arkansas;

29 (B) Is not required to repay a stipend or scholarship; and

30 (C) Is not required to enter into any agreement with the university  
 31 or College of Pharmacy requiring the recipient to practice pharmacy in any  
 32 area of Arkansas after graduation in exchange for a stipend or scholarship.

33 (d) The University of Arkansas for Medical Sciences shall report annually  
 34 the utilization of the funds received by the College of Nursing under this  
 35 section to the Legislative Council and the Arkansas Legislative Commission on  
 36 Nursing.

1 (e) Scholarships and other awards under this section may be granted in  
2 addition to other funds awarded to a student under other scholarship and  
3 assistance programs.  
4

5 SECTION 9. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
6 this Act for Maintenance and General Operation shall be expended in payment  
7 for services of attorneys, unless the agency shall first make a request in  
8 writing to the Attorney General of the State of Arkansas to provide the  
9 required legal services. The Attorney General's Office shall provide the  
10 requested legal services, or, if the Attorney General's Office shall  
11 determine that sufficient personnel are not available to provide the  
12 requested legal services, the Attorney General shall certify the same to the  
13 agency and may authorize the agency to employ legal counsel and to expend  
14 monies appropriated for Maintenance and General Operations therefor, if:

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

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

19 Such certification shall be required with respect to each instance of the  
20 employment of special legal counsel, or shall be required annually with  
21 respect to legal counsel employed on a retainer basis. A copy of such  
22 certification shall be entered in the official minutes of the agency, and  
23 shall be retained in the fiscal records of the agency for audit purposes.  
24

25 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
26 by this act shall be limited to the appropriation for such agency and funds  
27 made available by law for the support of such appropriations; and the  
28 restrictions of the State Procurement Law, the General Accounting and  
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
30 Procedures and Restrictions Act, or their successors, and other fiscal  
31 control laws of this State, where applicable, and regulations promulgated by  
32 the Department of Finance and Administration, as authorized by law, shall be  
33 strictly complied with in disbursement of said funds.  
34

35 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly  
36 that any funds disbursed under the authority of the appropriations contained

1 in this act shall be in compliance with the stated reasons for which this act  
2 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
3 and Legislative Recommendations contained in the budget manuals prepared by  
4 the Department of Finance and Administration, letters, or summarized oral  
5 testimony in the official minutes of the Arkansas Legislative Council or  
6 Joint Budget Committee which relate to its passage and adoption.

7  
8 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General  
9 Assembly, that the Constitution of the State of Arkansas prohibits the  
10 appropriation of funds for more than a two (2) year period; that the  
11 effectiveness of this Act on July 1, 2007 is essential to the operation of  
12 the agency for which the appropriations in this Act are provided, and that in  
13 the event of an extension of the Regular Session, the delay in the effective  
14 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
15 proper administration and provision of essential governmental programs.  
16 Therefore, an emergency is hereby declared to exist and this Act being  
17 necessary for the immediate preservation of the public peace, health and  
18 safety shall be in full force and effect from and after July 1, 2007.