

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

As Engrossed: S3/5/07
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
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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.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				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:

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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>

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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.

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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. Arkansas Code § 17-24-305 concerning the use*
 21 *of State Board of Collection Agencies fees is amended to read as follows:*

22 *17-24-305. 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.*~~

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

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

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

(C) The funds remaining after the distributions in subdivisions (b)(1)(A) and (b)(1)(B) for the fiscal year ending June 30, 2007 and funds received by the board each July 1 thereafter in an amount not to exceed two hundred fifty thousand dollars (\$250,000) each fiscal year shall be remitted by the board to Arkansas State University - Mountain Home - for deposit into the Arkansas State University - Mountain Home Fund. The funds shall be expended exclusively for the Arkansas State University - Mountain Home Nursing Program.

~~(G) (D) Funds remaining after the distributions in subdivisions (b)(3)(A) and (b)(3)(B) (b)(1)(A), (b)(1)(B) and (b)(1)(C) of this section shall be deposited to the State Board of Collection Agencies account in some bank authorized to do business in this state.~~

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

1 College of Nursing and College of Pharmacy program improvements.

2 (a) Funds received from the State Board of Collection Agencies under
3 § 17-24-305 by the University of Arkansas for Medical Sciences and any
4 interest earnings on the funds by the University of Arkansas for Medical
5 Sciences shall be used exclusively as follows:

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

8 (A) Scholarships and stipends for nursing students who are
9 candidates for bachelor's or master's degrees or degrees beyond a master's
10 degree; and

11 (B) Salary improvements for purposes of retaining and attracting
12 nursing school faculty; and

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

15 (A) Scholarships and stipends for pharmacy students;

16 (B) Facility improvements required to expand the enrollment of
17 pharmacy students; and

18 (C) Salary improvements for purposes of retaining and attracting
19 pharmacy school faculty.

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

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

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

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

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

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

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

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

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

5 (d) The University of Arkansas for Medical Sciences shall report annually
6 the utilization of the funds received by the College of Nursing under this
7 section to the Legislative Council and the Arkansas Legislative Commission on
8 Nursing.

9 (e) Scholarships and other awards under this section may be granted in
10 addition to other funds awarded to a student under other scholarship and
11 assistance programs.

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

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

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

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

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33 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
34 by this act shall be limited to the appropriation for such agency and funds
35 made available by law for the support of such appropriations; and the
36 restrictions of the State Procurement Law, the General Accounting and

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

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

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

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28 /s/ Joint Budget Committee
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