

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: S3/21/11  
**A Bill**

SENATE BILL 37

5 By: Joint Budget Committee  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE STATE  
10 BOARD OF COLLECTION AGENCIES FOR THE FISCAL YEAR  
11 ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.  
12

13  
14 **Subtitle**

15 AN ACT FOR THE STATE BOARD OF COLLECTION  
16 AGENCIES APPROPRIATION FOR THE 2011-2012  
17 FISCAL YEAR.  
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19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
23 Board of Collection Agencies for the 2011-2012 fiscal year, the following  
24 maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
30	(1) X001N	BD OF COLLECTION EXEC DIR	1	GRADE N902
31	(2) X130C	BD OF COLLECTION FIELD INVESTIGATOR	1	GRADE C116
32	(3) C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
33	(4) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
34	MAX. NO. OF EMPLOYEES		4	

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36 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board



1 of Collection Agencies for the 2011-2012 fiscal year, the following maximum  
 2 number of part-time or temporary employees, to be known as "Extra Help",  
 3 payable from funds appropriated herein for such purposes: one (1) temporary  
 4 or part-time employees, when needed, at rates of pay not to exceed those  
 5 provided in the Uniform Classification and Compensation Act, or its  
 6 successor, or this act for the appropriate classification.

7  
 8 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 9 to the State Board of Collection Agencies, to be payable from cash funds as  
 10 defined by Arkansas Code 19-4-801 of the State Board of Collection Agencies,  
 11 for personal services and operating expenses of the State Board of Collection  
 12 Agencies for the fiscal year ending June 30, 2012, the following:

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2011-2012</u>
16 (01) REGULAR SALARIES	\$192,694
17 (02) EXTRA HELP	5,000
18 (03) PERSONAL SERVICES MATCHING	63,149
19 (04) MAINT. & GEN. OPERATION	
20 (A) OPER. EXPENSE	86,700
21 (B) CONF. & TRAVEL	4,500
22 (C) PROF. FEES	21,000
23 (D) CAP. OUTLAY	20,000
24 (E) DATA PROC.	0
25 (05) DHS/UAMS/ASU/UCA/SAU SYSTEM/HSU GRANTS	1,300,000
26 (06) CLAIMS	<u>24,642</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$1,717,685</u>

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 29 SECTION 4. SPECIAL LANGUAGE. Arkansas Code § 17-24-305(b)(1),  
 30 concerning the use of State Board of Collection Agencies fees is amended to  
 31 read as follows:

32 (E)(i) The funds remaining after the distributions in  
 33 subdivisions (b)(1)(A)-(D) of this section for the fiscal year ending June  
 34 30, 2010, and funds received by the board each July 1 thereafter in an amount  
 35 not to exceed one hundred thousand dollars (\$100,000) each fiscal year shall  
 36 be remitted by the board to Southern Arkansas University for deposit into the

1 *Southern Arkansas University Fund.*

2 *(ii) Funds shall be expended exclusively for personal*  
 3 *services and operating expenses of the Southern Arkansas University System.*

4 *(F) The funds remaining after the distributions in subdivisions*  
 5 *(b)(1)(A)-(E) of this section for the fiscal year ending June 30, 2011, and*  
 6 *funds received by the board each July 1 thereafter in an amount not to exceed*  
 7 *one hundred thousand dollars (\$100,000) each fiscal year shall be remitted by*  
 8 *the board to Henderson State University for deposit into the Henderson State*  
 9 *University Fund.*

10 ~~*(F)(G) Funds remaining after the distributions in subdivisions*~~  
 11 ~~*(b)(1)(A)-(E)(F) of this section shall be deposited to the State Board of*~~  
 12 ~~*Collection Agencies account in some bank authorized to do business in this*~~  
 13 ~~*state.*~~

14  
 15 SECTION 5. SPECIAL LANGUAGE. Arkansas Code § 17-24-305(b)(1),  
 16 concerning the use of State Board of Collection Agencies fees:

17 (E)(i) The funds remaining after the distributions in  
 18 subdivisions (b)(1)(A)-(D) of this section for the fiscal year ending June  
 19 30, 2010, and funds received by the board each July 1 thereafter in an amount  
 20 not to exceed one hundred thousand dollars (\$100,000) each fiscal year shall  
 21 be remitted by the board to Southern Arkansas University for deposit into the  
 22 Southern Arkansas University Fund.

23 (ii) Funds shall be expended exclusively for personal  
 24 services and operating expenses of the Southern Arkansas University System.

25 (F) Funds remaining after the distributions in subdivisions  
 26 (b)(1)(A)-(E) of this section shall be deposited to the State Board of  
 27 Collection Agencies account in some bank authorized to do business in this  
 28 state.

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 30 SECTION 6. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 31 this Act for Maintenance and General Operation shall be expended in payment  
 32 for services of attorneys, unless the agency shall first make a request in  
 33 writing to the Attorney General of the State of Arkansas to provide the  
 34 required legal services. The Attorney General's Office shall provide the  
 35 requested legal services, or, if the Attorney General's Office shall  
 36 determine that sufficient personnel are not available to provide the

1 requested legal services, the Attorney General shall certify the same to the  
2 agency and may authorize the agency to employ legal counsel and to expend  
3 monies appropriated for Maintenance and General Operations therefor, if:

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

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

8 Such certification shall be required with respect to each instance of  
9 the employment of special legal counsel, or shall be required annually with  
10 respect to legal counsel employed on a retainer basis. A copy of such  
11 certification shall be entered in the official minutes of the agency, and  
12 shall be retained in the fiscal records of the agency for audit purposes.  
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14 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
15 authorized by this act shall be limited to the appropriation for such agency  
16 and funds made available by law for the support of such appropriations; and  
17 the restrictions of the State Procurement Law, the General Accounting and  
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
19 Procedures and Restrictions Act, or their successors, and other fiscal  
20 control laws of this State, where applicable, and regulations promulgated by  
21 the Department of Finance and Administration, as authorized by law, shall be  
22 strictly complied with in disbursement of said funds.  
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24 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General  
25 Assembly that any funds disbursed under the authority of the appropriations  
26 contained in this act shall be in compliance with the stated reasons for  
27 which this act was adopted, as evidenced by the Agency Requests, Executive  
28 Recommendations and Legislative Recommendations contained in the budget  
29 manuals prepared by the Department of Finance and Administration, letters, or  
30 summarized oral testimony in the official minutes of the Arkansas Legislative  
31 Council or Joint Budget Committee which relate to its passage and adoption.  
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33 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
34 Assembly, that the Constitution of the State of Arkansas prohibits the  
35 appropriation of funds for more than a one (1) year period; that the  
36 effectiveness of this Act on July 1, 2011 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in  
2 the event of an extension of the legislative session, the delay in the  
3 effective date of this Act beyond July 1, 2011 could work irreparable harm  
4 upon the proper administration and provision of essential governmental  
5 programs. Therefore, an emergency is hereby declared to exist and this Act  
6 being necessary for the immediate preservation of the public peace, health  
7 and safety shall be in full force and effect from and after July 1, 2011.

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9 */s/Joint Budget Committee*

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