

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

A Bill

SENATE BILL 37

5 By: Joint Budget Committee
6

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.
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Subtitle

14 AN ACT FOR THE STATE BOARD OF COLLECTION
15 AGENCIES APPROPRIATION FOR THE 2011-2012
16 FISCAL YEAR.
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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.

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 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	0
24 (E) DATA PROC.	0
25 (05) DHS/UAMS/UCA/SAU SYSTEM GRANTS	1,200,000
26 (06) CLAIMS	<u>24,642</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$1,597,685</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:

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

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

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

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

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

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

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

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28 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
29 authorized by this act shall be limited to the appropriation for such agency
30 and funds made available by law for the support of such appropriations; and
31 the restrictions of the State Procurement Law, the General Accounting and
32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
33 Procedures and Restrictions Act, or their successors, and other fiscal
34 control laws of this State, where applicable, and regulations promulgated by
35 the Department of Finance and Administration, as authorized by law, shall be
36 strictly complied with in disbursement of said funds.

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2 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
3 Assembly that any funds disbursed under the authority of the appropriations
4 contained in this act shall be in compliance with the stated reasons for
5 which this act was adopted, as evidenced by the Agency Requests, Executive
6 Recommendations and Legislative Recommendations contained in the budget
7 manuals prepared by the Department of Finance and Administration, letters, or
8 summarized oral testimony in the official minutes of the Arkansas Legislative
9 Council or Joint Budget Committee which relate to its passage and adoption.
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11 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
12 Assembly, that the Constitution of the State of Arkansas prohibits the
13 appropriation of funds for more than a one (1) year period; that the
14 effectiveness of this Act on July 1, 2011 is essential to the operation of
15 the agency for which the appropriations in this Act are provided, and that in
16 the event of an extension of the legislative session, the delay in the
17 effective date of this Act beyond July 1, 2011 could work irreparable harm
18 upon the proper administration and provision of essential governmental
19 programs. Therefore, an emergency is hereby declared to exist and this Act
20 being necessary for the immediate preservation of the public peace, health
21 and safety shall be in full force and effect from and after July 1, 2011.
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