

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# A Bill

**HOUSE BILL 1792**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE PROFESSIONAL BAIL BONDSMAN  
10 LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
11 1995; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE PROFESSIONAL BAIL BONDSMAN LICENSING BOARD  
15 APPROPRIATION."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 *SECTION 1. REGULAR SALARIES. There is hereby established for the*  
20 *Professional Bail Bondsman Licensing Board for the 1993-95 biennium, the*  
21 *following maximum number of regular employees whose salaries shall be governed*  
22 *by the provisions of the Uniform Classification and Compensation Act (Arkansas*  
23 *Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.*  
24 *Provided, however, that any position to which a specific maximum annual salary*  
25 *is set out herein in dollars, shall be exempt from the provisions of said*  
26 *Uniform Classification and Compensation Act. All persons occupying positions*  
27 *authorized herein are hereby governed by the provisions of the Regular*  
28 *Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its*  
29 *successor.*

Item	Class	Title	No. of Employees	Maximum Annual Salary Rate	
				1993-94	1994-95
(1)	599Z	EXEC DIR BAIL BONDSMAN BD	1	GRADE 26	
(2)	X391	BAIL BONDSMAN INVESTIGATOR	1	GRADE 16	

1 (3) R009 ADMINISTRATIVE ASSISTANT 1 GRADE 14  
 2 MAX. NO. OF EMPLOYEES 3

3  
 4 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
 5 Professional Bail Bondsman Licensing Board, to be payable from cash funds as  
 6 defined by Arkansas Code 19-4-801 of the Professional Bail Bondsman Licensing  
 7 Board, for personal services and operating expenses of the Professional Bail  
 8 Bondsman Licensing Board for the biennial period ending June 30, 1995, the  
 9 following:

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11 <u>ITEM</u>	<u>FISCAL YEARS</u>	
12 NO.	1993-94	1994-95
13 (01) REGULAR SALARIES	\$ 63,206	\$ 64,790
14 (02) PERSONAL SERVICES MATCHING	17,996	18,275
15 (03) MAINTENANCE & GENERAL OPERATIONS		
16 (A) OPER. EXPENSES	\$ 44,000	\$ 44,000
17 (B) CONF. & TRAVEL	0	0
18 (C) PROF. FEES	0	0
19 (D) CAPITAL OUTLAY	5,000	5,000
20 (E) DATA PROCESSING	<u>5,000</u>	<u>5,000</u>
21 TOTAL MAINT. & GEN. OPERATIONS	<u>54,000</u>	<u>54,000</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$135,202</u>	<u>\$137,065</u>

23  
 24 SECTION 3. APPROPRIATIONS - TRANSFERS. There is hereby appropriated,  
 25 to the Professional Bail Bondsman Licensing Board, to be payable from cash  
 26 funds as defined by Arkansas Code 19-4-801 of the Professional Bail Bondsman  
 27 Licensing Board for transfers to the State Treasury for the biennial period  
 28 ending June 30, 1995, the following:

29

30 <u>ITEM</u>	<u>FISCAL YEARS</u>	
31 NO.	1993-94	1994-95
32 (01) TRANSFERS TO STATE TREASURY	<u>\$ 400,000</u>	<u>\$ 400,000</u>

33  
 34 SECTION 4. The Professional Bail Bondsman Licensing Board, at the end  
 35 of each fiscal year, shall transfer all but twenty-five percent (25%) of its

1 fund balance to the State Treasury and shall utilize the appropriation in  
2 Section 3 for this purpose.

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

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

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

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

23

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

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34 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General  
35 Assembly that any funds disbursed under the authority of the appropriations

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

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8 SECTION 8. CODE. All provisions of this Act of a general and permanent  
9 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
10 Code Revision Commission shall incorporate the same in the Code.

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12 SECTION 9. SEVERABILITY. If any provision of this Act or the  
13 application thereof to any person or circumstance is held invalid, such  
14 invalidity shall not affect other provisions or applications of the Act which  
15 can be given effect without the invalid provision or application, and to this  
16 end the provisions of this Act are declared to be severable.

17

18 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict  
19 with this Act are hereby repealed.

20

21 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
22 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
23 prohibits the appropriation of funds for more than a two (2) year period; that  
24 the effectiveness of this Act on July 1, 1993 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, 1993 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, 1993.

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*/s/John E. Miller*

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