

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

A Bill

ACT 700 OF 1993
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
34	(1)	599Z EXEC DIR BAIL BONDSMAN BD	1	GRADE 26	
35	(2)	X391 BAIL BONDSMAN INVESTIGATOR	1	GRADE 16	
36	(3)	R009 ADMINISTRATIVE ASSISTANT	<u>1</u>	GRADE 14	

1 MAX. NO. OF EMPLOYEES 3

2

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

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

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

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

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33 SECTION 4. The Professional Bail Bondsman Licensing Board, at the end
34 of each fiscal year, shall transfer all but twenty-five percent (25%) of its
35 fund balance to the State Treasury and shall utilize the appropriation in

1 Section 3 for this purpose.

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

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

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

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

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

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33 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
34 Assembly that any funds disbursed under the authority of the appropriations
35 contained in this Act shall be in compliance with the stated reasons for which

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

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

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

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

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20 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
21 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
22 prohibits the appropriation of funds for more than a two (2) year period; that
23 the effectiveness of this Act on July 1, 1993 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the Regular Session, the delay in the effective
26 date of this Act beyond July 1, 1993 could work irreparable harm upon the
27 proper administration and provision of essential governmental programs.
28 Therefore, an emergency is hereby declared to exist and this Act being
29 necessary for the immediate preservation of the public peace, health and
30 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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APPROVED: 3/24/93

As Engrossed: 3/15/93

HB 1792

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