

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

# A Bill

ACT 90 OF 1997  
HOUSE BILL 1344

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 OPERATING EXPENSES FOR THE PROFESSIONAL BAIL BONDSMAN  
11 LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 1999; AND FOR OTHER PURPOSES."  
13

## Subtitle

14 "AN ACT FOR THE PROFESSIONAL BAIL  
15 BONDSMAN LICENSING BOARD APPROPRIATION  
16 FOR THE 1997-99 BIENNIUM."  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. REGULAR SALARIES. There is hereby established for the  
22 Professional Bail Bondsman Licensing Board for the 1997-99 biennium, the  
23 following maximum number of regular employees whose salaries shall be governed  
24 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
25 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
26 Provided, however, that any position to which a specific maximum annual salary  
27 is set out herein in dollars, shall be exempt from the provisions of said  
28 Uniform Classification and Compensation Act. All persons occupying positions  
29 authorized herein are hereby governed by the provisions of the Regular  
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
31 successor.  
32

Item	Class	No. of	Maximum Annual
		Employees	Salary Rate
			Fiscal Years
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>1997-98 1998-99</del>

1	(1) 599Z EXECUTIVE DIR - BAIL BONDSMAN BOARD	1	GRADE 26
2	(2) X391 BAIL BONDSMAN INVESTIGATOR	1	GRADE 16
3	(3) R009 ADMINISTRATIVE ASSISTANT I	<u>1</u>	GRADE 15
4	MAX NO. OF EMPLOYEES	3	

5  
6 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
7 Professional Bail Bondsman Licensing Board, to be payable from the Bail  
8 Bondsman Board Fund, for personal services and operating expenses of the  
9 Professional Bail Bondsman Licensing Board for the biennial period ending June  
10 30, 1999, the following:

12	ITEM	FISCAL YEARS	
13	<del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
14	(01) REGULAR SALARIES	\$ 85,259	\$ 87,576
15	(02) PERSONAL SERVICES MATCHING	24,136	24,544
16	(03) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	44,000	44,000
18	(B) CONF. & TRVL.	3,000	3,000
19	(C) PROF. FEES	20,000	20,000
20	(D) CAP. OUTLAY	10,000	5,000
21	(E) DATA PROC.	1,786	1,786
22	(04) TRANSFER TO STATE TREASURY	<u>400,000</u>	<u>400,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 588,181</u>	<u>\$ 585,906</u>

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25 SECTION 3. SPECIAL LANGUAGE. The Professional Bail Bondsman Licensing  
26 Board, at the end of each fiscal year, shall transfer all but twenty-five  
27 percent (25%) of its fund balance to the General Revenue Fund Account in the  
28 State Treasury.

29  
30 SECTION 4. 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 determine

1 that sufficient personnel are not available to provide the requested legal  
2 services, the Attorney General shall certify the same to the agency and may  
3 authorize the agency to employ legal counsel and to expend monies appropriated  
4 for Maintenance and General Operations therefor, if:

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

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

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

14

15 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
16 authorized by this Act shall be limited to the appropriation for such agency  
17 and funds made available by law for the support of such appropriations; and  
18 the restrictions of the State Purchasing Law, the General Accounting and  
19 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
20 Procedures and Restrictions Act, or their successors, and other fiscal control  
21 laws of this State, where applicable, and regulations promulgated by the  
22 Department of Finance and Administration, as authorized by law, shall be  
23 strictly complied with in disbursement of said funds.

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25 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
26 Assembly that any funds disbursed under the authority of the appropriations  
27 contained in this Act shall be in compliance with the stated reasons for which  
28 this Act was adopted, as evidenced by the Agency Requests, Executive  
29 Recommendations and Legislative Recommendations contained in the budget  
30 manuals prepared by the Department of Finance and Administration, letters, or  
31 summarized oral testimony in the official minutes of the Arkansas Legislative  
32 Council or Joint Budget Committee which relate to its passage and adoption.

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34 SECTION 7. CODE. All provisions of this Act of a general and permanent  
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas

1 Code Revision Commission shall incorporate the same in the Code.

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3 SECTION 8. SEVERABILITY. If any provision of this Act or the  
 4 application thereof to any person or circumstance is held invalid, such  
 5 invalidity shall not affect other provisions or applications of the Act which  
 6 can be given effect without the invalid provision or application, and to this  
 7 end the provisions of this Act are declared to be severable.

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9 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict  
 10 with this Act are hereby repealed.

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12 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
 13 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
 14 prohibits the appropriation of funds for more than a two (2) year period; that  
 15 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
 16 the agency for which the appropriations in this Act are provided, and that in  
 17 the event of an extension of the Regular Session, the delay in the effective  
 18 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
 19 proper administration and provision of essential governmental programs.  
 20 Therefore, an emergency is hereby declared to exist and this Act being  
 21 necessary for the immediate preservation of the public peace, health and  
 22 safety shall be in full force and effect from and after July 1, 1997.

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24 APPROVED:2-04-97

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