

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

**Act 28 of 2001**  
HOUSE BILL 1197

5 By: Joint Budget Committee  
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## **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE PROFESSIONAL BAIL  
11 BONDSMAN LICENSING BOARD FOR THE BIENNIAL PERIOD  
12 ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.  
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## **Subtitle**

15 AN ACT FOR THE PROFESSIONAL BAIL  
16 BONDSMAN LICENSING BOARD APPROPRIATION  
17 FOR THE 2001-2003 BIENNIUM.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Professional Bail Bondsman Licensing Board for the 2001-2003 biennium, the  
25 following maximum number of regular employees whose salaries shall be governed  
26 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
27 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
28 Provided, however, that any position to which a specific maximum annual salary  
29 is set out herein in dollars, shall be exempt from the provisions of said  
30 Uniform Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 successor.  
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Maximum Annual

Item Class	Maximum No. of Employees	Salary Rate Fiscal Years
No. Code Title	Empl oyees	2001-2002 2002-2003
(1) 599Z EXECUTIVE DIR - BAIL BONDSMAN BOARD	1	GRADE 26
(2) X391 BAIL BONDSMAN INVESTIGATOR	1	GRADE 16
(3) R009 ADMINI STRATIVE ASSI STANT I	<u>1</u>	GRADE 15
MAX. NO. OF EMPLOYEES	3	

SECTION 2. APPROPRIATION. There is hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be payable from the Bail Bondsman Board Fund, for personal services and operating expenses of the Professional Bail Bondsman Licensing Board for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 95,423	\$ 97,905
(02) PERSONAL SERV MATCHING	25,793	26,232
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	72,600	77,800
(B) CONF. & TRAVEL	3,000	3,000
(C) PROF. FEES	35,000	35,000
(D) CAP. OUTLAY	5,000	2,000
(E) DATA PROC.	1,786	1,786
(04) REFUNDS/REIMBURSEMENTS	<u>100,000</u>	<u>100,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 338,602</u>	<u>\$ 343,723</u>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. The Professional Bail Bondsman Licensing Board, at the end of each fiscal year, shall transfer all but twenty-five percent (25%) of its fund balance to the General Revenue Fund Account in the State Treasury.

1 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 2 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
 3 appropriations as provided in this Act, the agency disbursing officer shall  
 4 monitor the level of fund balances in relation to expenditures on a monthly  
 5 basis. If any proposed expenditures would cause a fund balance to decline to  
 6 less than fifty percent (50%) of the balance available on July 1, 2001, the  
 7 disbursing officer shall immediately notify the executive head of the agency.  
 8 Prior to any obligations being made under these circumstances, the agency  
 9 head shall file written documentation with the Chief Fiscal Officer of the  
 10 State requesting approval of the expenditures. Such documentation shall  
 11 provide sufficient financial data to justify the expenditures and shall  
 12 include the following:  
 13 1) a plan that clearly indicates the specific fiscal impact of such  
 14 expenditures on the fund balance.  
 15 2) information clearly indicating and explaining what programs would be cut or  
 16 any other measures to be taken by the agency to restore the fund balance.  
 17 3) the extent to which any of the planned expenditures are for one-time costs  
 18 or one-time purchase of capitalized items.  
 19 4) a statement certifying that the expenditure of fund balances will not  
 20 jeopardize the financial health of the agency, nor result in a permanent  
 21 depletion of the fund balance.  
 22 (B) The Chief Fiscal Officer of the State shall review the request and  
 23 approve or disapprove all or any part of the request , after having sought  
 24 prior review by the Legislative Council.

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 26 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this  
 27 Act for Maintenance and General Operation shall be expended in payment for  
 28 services of attorneys, unless the agency shall first make a request in writing  
 29 to the Attorney General of the State of Arkansas to provide the required legal  
 30 services. The Attorney General's Office shall provide the requested legal  
 31 services, or, if the Attorney General's Office shall determine that sufficient  
 32 personnel are not available to provide the requested legal services, the  
 33 Attorney General shall certify the same to the agency and may authorize the  
 34 agency to employ legal counsel and to expend monies appropriated for  
 35 Maintenance and General Operations therefor, if:

36 (1) The Attorney General determines, and certifies in writing, that such

1 agency needs the advice or assistance of legal counsel, and

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

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

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10 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
11 this act shall be limited to the appropriation for such agency and funds made  
12 available by law for the support of such appropriations; and the restrictions  
13 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
14 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
15 Restrictions Act, or their successors, and other fiscal control laws of this  
16 State, where applicable, and regulations promulgated by the Department of  
17 Finance and Administration, as authorized by law, shall be strictly complied  
18 with in disbursement of said funds.

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20 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
21 that any funds disbursed under the authority of the appropriations contained  
22 in this act shall be in compliance with the stated reasons for which this act  
23 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
24 and Legislative Recommendations contained in the budget manuals prepared by  
25 the Department of Finance and Administration, letters, or summarized oral  
26 testimony in the official minutes of the Arkansas Legislative Council or Joint  
27 Budget Committee which relate to its passage and adoption.

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29 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
30 Assembly, that the Constitution of the State of Arkansas prohibits the  
31 appropriation of funds for more than a two (2) year period; that the  
32 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
33 agency for which the appropriations in this Act are provided, and that in the  
34 event of an extension of the Regular Session, the delay in the effective date  
35 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
36 administration and provision of essential governmental programs. Therefore, an

1 emergency is hereby declared to exist and this Act being necessary for the  
2 immediate preservation of the public peace, health and safety shall be in full  
3 force and effect from and after July 1, 2001.

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6 APPROVED: 1/29/2001  
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