

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.

Act 89 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1038

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 PROFESSIONAL BAIL BONDSMAN LICENSING BOARD FOR
12 THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR
13 OTHER PURPOSES.

Subtitle

16 AN ACT FOR THE PROFESSIONAL BAIL
17 BONDSMAN LICENSING BOARD APPROPRIATION
18 FOR THE 2005-2007 BIENNIUM.

21
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23
24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Professional Bail Bondsman Licensing Board for the 2005-2007 biennium, the
26 following maximum number of regular employees whose salaries shall be
27 governed by the provisions of the Uniform Classification and Compensation Act
28 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
29 thereto. Provided, however, that any position to which a specific maximum
30 annual salary is set out herein in dollars, shall be exempt from the
31 provisions of said Uniform Classification and Compensation Act. All persons
32 occupying positions authorized herein are hereby governed by the provisions
33 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
34 101), or its successor.



| Item | Class | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Years | |
|-----------------------|-------|-------------------------------------|--------------------------------|---|-----------|
| | | | | 2005-2006 | 2006-2007 |
| (1) | 599Z | EXECUTIVE DIR - BAIL BONDSMAN BOARD | 1 | GRADE 26 | |
| (2) | X391 | BAIL BONDSMAN INVESTIGATOR | 1 | GRADE 16 | |
| (3) | R009 | ADMINISTRATIVE ASSISTANT I | <u>1</u> | GRADE 15 | |
| MAX. NO. OF EMPLOYEES | | | 3 | | |

SECTION 2. APPROPRIATION - OPERATIONS. 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, 2007, the following:

| ITEM NO. | FISCAL YEARS | |
|---------------------------------|-------------------|-------------------|
| | 2005-2006 | 2006-2007 |
| (01) REGULAR SALARIES | \$ 108,200 | \$ 111,401 |
| (02) PERSONAL SERVICES MATCHING | 31,860 | 32,462 |
| (03) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 77,800 | 77,800 |
| (B) CONF. & TRAVEL | 3,000 | 3,000 |
| (C) PROF. FEES | 35,000 | 35,000 |
| (D) CAP. OUTLAY | 0 | 0 |
| (E) DATA PROC. | 1,786 | 1,786 |
| (04) REFUND/REIMBURSEMENTS | <u>100,000</u> | <u>100,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 357,646</u> | <u>\$ 361,449</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.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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

- 11 (1) The Attorney General determines, and certifies in writing, that such
 12 agency needs the advice or assistance of legal counsel, and
- 13 (2) The Attorney General consents in writing to the employment of the
 14 legal counsel to be retained by the agency.

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

21 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 22 by this act shall be limited to the appropriation for such agency and funds
 23 made available by law for the support of such appropriations; and the
 24 restrictions of the State Procurement Law, the General Accounting and
 25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 26 Procedures and Restrictions Act, or their successors, and other fiscal
 27 control laws of this State, where applicable, and regulations promulgated by
 28 the Department of Finance and Administration, as authorized by law, shall be
 29 strictly complied with in disbursement of said funds.
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31 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
 32 that any funds disbursed under the authority of the appropriations contained
 33 in this act shall be in compliance with the stated reasons for which this act
 34 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 35 and Legislative Recommendations contained in the budget manuals prepared by
 36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or
2 Joint Budget Committee which relate to its passage and adoption.

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4 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a two (2) year period; that the
7 effectiveness of this Act on July 1, 2005 is essential to the operation of
8 the agency for which the appropriations in this Act are provided, and that in
9 the event of an extension of the Regular Session, the delay in the effective
10 date of this Act beyond July 1, 2005 could work irreparable harm upon the
11 proper administration and provision of essential governmental programs.
12 Therefore, an emergency is hereby declared to exist and this Act being
13 necessary for the immediate preservation of the public peace, health and
14 safety shall be in full force and effect from and after July 1, 2005.

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18 APPROVED: 2/10/2005
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