

**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 108 of the Regular Session**

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 1164

5 By: Joint Budget Committee
6
7

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, 2009; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15 AN ACT FOR THE PROFESSIONAL BAIL
16 BONDSMAN LICENSING BOARD APPROPRIATION
17 FOR THE 2007-2009 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Professional Bail Bondsman Licensing Board for the 2007-2009 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.
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Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate
No.	Code Title		Fiscal Years
			2007-2008 2008-2009
(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, 2009, the following:

ITEM NO.		FISCAL YEARS	
		2007-2008	2008-2009
(01)	REGULAR SALARIES	\$ 123,438	\$ 125,739
(02)	PERSONAL SERVICES MATCHING	36,548	37,012
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	96,800	96,800
(B)	CONF. & TRAVEL	3,000	3,000
(C)	PROF. FEES	35,000	35,000
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	<u>1,786</u>	<u>1,786</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 296,572</u>	<u>\$ 299,337</u>

SECTION 3. APPROPRIATION - TREASURY CASH REIMBURSEMENTS. There is hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, to process security deposits and pay outstanding judgments of bail bonds companies that go out of business by the Professional Bail Bondsman Licensing Board for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS
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1	NO.	2007-2008	2008-2009
2	(01) REFUNDS/REIMBURSEMENTS	<u>\$ 500,000</u>	<u>\$ 500,000</u>

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4 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
6 TRANSFER. The Professional Bail Bondsman Licensing Board, at the end of each
7 fiscal year, shall transfer all but twenty-five percent (25%) of its fund
8 balance to the General Revenue Fund Account in the State Treasury.

9 The provisions of this section shall be in effect only from July 1, ~~2005~~
10 2007 through June 30, ~~2007~~ 2009.

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

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

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

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

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32 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
33 by this act shall be limited to the appropriation for such agency and funds
34 made available by law for the support of such appropriations; and the
35 restrictions of the State Procurement Law, the General Accounting and
36 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

1 Procedures and Restrictions Act, or their successors, and other fiscal
2 control laws of this State, where applicable, and regulations promulgated by
3 the Department of Finance and Administration, as authorized by law, shall be
4 strictly complied with in disbursement of said funds.

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

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15 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
16 Assembly, that the Constitution of the State of Arkansas prohibits the
17 appropriation of funds for more than a two (2) year period; that the
18 effectiveness of this Act on July 1, 2007 is essential to the operation of
19 the agency for which the appropriations in this Act are provided, and that in
20 the event of an extension of the Regular Session, the delay in the effective
21 date of this Act beyond July 1, 2007 could work irreparable harm upon the
22 proper administration and provision of essential governmental programs.
23 Therefore, an emergency is hereby declared to exist and this Act being
24 necessary for the immediate preservation of the public peace, health and
25 safety shall be in full force and effect from and after July 1, 2007.

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28 APPROVED: 2/14/2007
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