

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1105

4
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 FISCAL YEAR ENDING JUNE 30, 2011; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE PROFESSIONAL BAIL
17 BONDSMAN LICENSING BOARD APPROPRIATION
18 FOR THE 2010-2011 FISCAL YEAR.
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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 2010-2011 fiscal year, 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.
35

36 Maximum Annual



| Item | Class | Maximum | Salary Rate |
|-----------------------|--|------------------|-------------|
| No. | Code Title | No. of Employees | Fiscal Year |
| | | | 2010-2011 |
| (1) | X022C BAIL BONDSMAN BOARD EXECUTIVE DIRE | 1 | GRADE C124 |
| (2) | X168C BAIL BONDSMAN BOARD INVESTIGATOR | 1 | GRADE C113 |
| (3) | C056C ADMINISTRATIVE SPECIALIST III | <u>1</u> | GRADE C112 |
| 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 fiscal year ending June 30, 2011, the following:

| ITEM | FISCAL YEAR |
|---------------------------------|-------------------|
| <u>NO.</u> | <u>2010-2011</u> |
| (01) REGULAR SALARIES | \$ 137,522 |
| (02) PERSONAL SERVICES MATCHING | 40,122 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 102,186 |
| (B) CONF. & TRAVEL | 3,000 |
| (C) PROF. FEES | 35,000 |
| (D) CAP. OUTLAY | 6,000 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 323,830</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 fiscal year ending June 30, 2011, the following:

| ITEM | FISCAL YEAR |
|------------|------------------|
| <u>NO.</u> | <u>2010-2011</u> |

1 (01) REFUNDS/REIMBURSEMENTS \$ 500,000

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

8 The provisions of this section shall be in effect only from July 1, ~~2007~~
9 2010 through June 30, ~~2009~~ 2011.

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

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

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

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

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

1 control laws of this State, where applicable, and regulations promulgated by
2 the Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

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

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14 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
15 Assembly, that the Constitution of the State of Arkansas prohibits the
16 appropriation of funds for more than a one (1) year period; that the
17 effectiveness of this Act on July 1, 2010 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the legislative session, the delay in the
20 effective date of this Act beyond July 1, 2010 could work irreparable harm
21 upon the proper administration and provision of essential governmental
22 programs. Therefore, an emergency is hereby declared to exist and this Act
23 being necessary for the immediate preservation of the public peace, health
24 and safety shall be in full force and effect from and after July 1, 2010.

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27 **APPROVED: 02/19/2010**
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