

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 51 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

**A Bill**

HOUSE BILL 1095

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 FISCAL YEAR ENDING JUNE 30, 2010; AND FOR  
13 OTHER PURPOSES.

**Subtitle**

16 AN ACT FOR THE PROFESSIONAL BAIL  
17 BONDSMAN LICENSING BOARD APPROPRIATION  
18 FOR THE 2009-2010 FISCAL YEAR.

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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 2009-2010 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.



Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2009-2010
1	(1)	X022C BAIL BONDSMAN BOARD EXECUTIVE DIRE	1	GRADE C124
2	(2)	X168C BAIL BONDSMAN BOARD INVESTIGATOR	1	GRADE C113
3	(3)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
4	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, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 134,653
(02) PERSONAL SERVICES MATCHING	39,585
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	101,186
(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>\$ 319,424</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, 2010, the following:

ITEM	FISCAL YEAR
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1	NO.	2009-2010
2	(01) REFUNDS/REIMBURSEMENTS	\$ <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, ~~2007~~  
10 2009 through June 30, ~~2009~~ 2010.

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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 one (1) year period; that the  
18 effectiveness of this Act on July 1, 2009 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, 2009 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, 2009.

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28 APPROVED: 2/5/2009  
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