

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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7

A Bill

HOUSE BILL

1087

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE PROFESSIONAL BAIL BONDSMAN
10 LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30,
11 1997; AND FOR OTHER PURPOSES."

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Subtitle

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Professional Bail Bondsman Licensing Board for the 1995-97 biennium, the
22 following maximum number of regular employees whose salaries shall be
23 governed by the provisions of the Uniform Classification and Compensation Act
24 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
25 thereto. Provided, however, that any position to which a specific maximum
26 annual salary is set out herein in dollars, shall be exempt from the
27 provisions of said Uniform Classification and Compensation Act. All persons
28 occupying positions authorized herein are hereby governed by the provisions
29 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
30 101), or its successor.

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Item	Class		Maximum Annual	
No.	Code	Title	Salary Rate	Fiscal Years
			Maximum	No. of
			No. of	Employees
				1995-96
				1996-97

1	(1) 599Z EXECUTIVE DIR - BAIL BONDSMAN BOARD	1	GRADE 26
2	(2) X391 BAIL BONDSMAN INVESTIGATOR	1	GRADE 16
3	(3) R009 ADMINISTRATIVE ASSISTANT I	<u>1</u>	GRADE 15
4	MAX NO. OF EMPLOYEES	3	

SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Professional Bail Bondsman Licensing Board, for personal services and operating expenses of the Professional Bail Bondsman Licensing Board for the biennial period ending June 30, 1997, the following:

13	ITEM	FISCAL YEARS	
14	NO.	1995-96	1996-97
15	(01) REGULAR SALARIES	\$ 84,057	\$ 84,057
16			
17	(02) PERSONAL SERVICES MATCHING	20,166	20,166
18			
19	(03) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	\$ 44,000	\$ 44,000
21	(B) CONF. & TRVL.	3,000	3,000
22	(C) PROF. FEES	0	0
23	(D) CAP. OUTLAY	4,500	4,500
24	(E) DATA PROC.	<u>5,000</u>	<u>5,000</u>
25	TOTAL MAINT. & GEN. OPER.		<u>56,500</u>
26			<u>56,500</u>
27	TOTAL AMOUNT APPROPRIATED	\$	<u><u>160,723</u></u> \$
28			<u>160,723</u>

SECTION 3. APPROPRIATIONS - TRANSFERS. There is hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Professional Bail Bondsman Licensing Board, for transfers to the State Treasury for the biennial period ending June 30, 1997, the following:

1 ITEM	FISCAL YEARS	
2 NO.	1995-96	1996-97
3 (01) TRANSFERS TO STATE TREASURY	<u>\$ 400,000</u>	<u>\$</u>
4 <u>400,000</u>		

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6 SECTION 4. The Professional Bail Bondsman Licensing Board, at the end
 7 of each fiscal year, shall transfer all but twenty-five percent (25%) of its
 8 fund balance to the State Treasury and shall utilize the appropriation in
 9 Section 3 for this purpose.

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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
 22 such 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
 26 the 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
 32 ~~authorized by this Act shall be limited to the appropriation for such agency~~
 33 and funds made available by law for the support of such appropriations; and
 34 the restrictions of the State Purchasing Law, the General Accounting and
 35 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
7 Assembly that any funds disbursed under the authority of the appropriations
8 contained in this Act shall be in compliance with the stated reasons for
9 which this Act was adopted, as evidenced by the Agency Requests, Executive
10 Recommendations and Legislative Recommendations contained in the budget
11 manuals prepared by the Department of Finance and Administration, letters, or
12 summarized oral testimony in the official minutes of the Arkansas Legislative
13 Council or Joint Budget Committee which relate to its passage and adoption.

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15 SECTION 8. CODE. All provisions of this Act of a general and
16 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
17 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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19 SECTION 9. SEVERABILITY. If any provision of this Act or the
20 application thereof to any person or circumstance is held invalid, such
21 invalidity shall not affect other provisions or applications of the Act which
22 can be given effect without the invalid provision or application, and to this
23 end the provisions of this Act are declared to be severable.

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25 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict
26 with this Act are hereby repealed.

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28 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by
29 the Eightieth General Assembly, that the Constitution of the State of
30 Arkansas prohibits the appropriation of funds for more than a two (2) year
31 period; that the effectiveness of this Act on July 1, 1995 is essential to
32 the operation of the agency for which the appropriations in this Act are
33 provided, and that in the event of an extension of the Regular Session, the
34 delay in the effective date of this Act beyond July 1, 1995 could work
35 irreparable harm upon the proper administration and provision of essential

1 governmental programs. Therefore, an emergency is hereby declared to exist
2 and this Act being necessary for the immediate preservation of the public
3 peace, health and safety shall be in full force and effect from and after
4 July 1, 1995.

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