

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1115

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE
10 PROFESSIONAL BAIL BONDSMAN LICENSING BOARD FOR
11 THE FISCAL YEAR ENDING JUNE 30, 2013; AND FOR
12 OTHER PURPOSES.
13
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Subtitle

15 AN ACT FOR THE PROFESSIONAL BAIL BONDSMAN
16 LICENSING BOARD APPROPRIATION FOR THE 2012-
17 2013 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Professional Bail Bondsman Licensing Board for the 2012-2013 fiscal year, the
25 following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual
				Salary Rate Fiscal Year
				2012-2013
31	(1) X022C	BAIL BONDSMAN BOARD EXECUTIVE DIRECTOR	1	GRADE C124
32	(2) X168C	BAIL BONDSMAN BOARD INVESTIGATOR	1	GRADE C113
33	(3) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
34	MAX. NO. OF EMPLOYEES		3	

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36 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,



1 to the Professional Bail Bondsman Licensing Board, to be payable from the
 2 Bail Bondsman Board Fund, for personal services and operating expenses of the
 3 Professional Bail Bondsman Licensing Board for the fiscal year ending June
 4 30, 2013, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2012-2013</u>
8 (01) REGULAR SALARIES	\$133,987
9 (02) PERSONAL SERVICES MATCHING	39,569
10 (03) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	103,386
12 (B) CONF. & TRAVEL	3,000
13 (C) PROF. FEES	35,000
14 (D) CAP. OUTLAY	6,000
15 (E) DATA PROC.	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$320,942</u></u>

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 18 SECTION 3. APPROPRIATION - TREASURY CASH REIMBURSEMENTS. There is
 19 hereby appropriated, to the Professional Bail Bondsman Licensing Board, to be
 20 payable from the cash fund deposited in the State Treasury as determined by
 21 the Chief Fiscal Officer of the State, to process security deposits and pay
 22 outstanding judgments of bail bonds companies that go out of business by the
 23 Professional Bail Bondsman Licensing Board for the fiscal year ending June
 24 30, 2013, the following:

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2012-2013</u>
28 (01) REFUNDS/REIMBURSEMENTS	<u><u>\$500,000</u></u>

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

35 The provisions of this section shall be in effect only from July 1,
 36 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

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

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

16 Such certification shall be required with respect to each instance of
17 the employment of special legal counsel, or shall be required annually with
18 respect to legal counsel employed on a retainer basis. A copy of such
19 certification shall be entered in the official minutes of the agency, and
20 shall be retained in the fiscal records of the agency for audit purposes.
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22 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
23 authorized by this act shall be limited to the appropriation for such agency
24 and funds made available by law for the support of such appropriations; and
25 the restrictions of the State Procurement Law, the General Accounting and
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
27 Procedures and Restrictions Act, or their successors, and other fiscal
28 control laws of this State, where applicable, and regulations promulgated by
29 the Department of Finance and Administration, as authorized by law, shall be
30 strictly complied with in disbursement of said funds.
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32 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this act shall be in compliance with the stated reasons for
35 which this act was adopted, as evidenced by the Agency Requests, Executive
36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.
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5 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
6 Assembly, that the Constitution of the State of Arkansas prohibits the
7 appropriation of funds for more than a one (1) year period; that the
8 effectiveness of this Act on July 1, 2012 is essential to the operation of
9 the agency for which the appropriations in this Act are provided, and that in
10 the event of an extension of the legislative session, the delay in the
11 effective date of this Act beyond July 1, 2012 could work irreparable harm
12 upon the proper administration and provision of essential governmental
13 programs. Therefore, an emergency is hereby declared to exist and this Act
14 being necessary for the immediate preservation of the public peace, health
15 and safety shall be in full force and effect from and after July 1, 2012.
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