

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

# A Bill

ACT 26 OF 1997  
HOUSE BILL 1177

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 OPERATING EXPENSES FOR THE ARKANSAS TOWING AND RECOVERY  
11 BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND  
12 FOR OTHER PURPOSES."  
13

## Subtitle

14 "AN ACT FOR THE ARKANSAS TOWING AND  
15 RECOVERY BOARD APPROPRIATION FOR THE  
16 1997-99 BIENNIUM."  
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. REGULAR SALARIES. There is hereby established for the  
22 Arkansas Towing and Recovery Board for the 1997-99 biennium, the following  
23 maximum number of regular employees whose salaries shall be governed by the  
24 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
25 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
26 Provided, however, that any position to which a specific maximum annual salary  
27 is set out herein in dollars, shall be exempt from the provisions of said  
28 Uniform Classification and Compensation Act. All persons occupying positions  
29 authorized herein are hereby governed by the provisions of the Regular  
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
31 successor.  
32

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees 1997-98 1998-99</del>

1 (1) 8913 AT&RB ADMINISTRATIVE ASST II 1 \$ 19,883 \$ 20,439  
 2 MAX NO. OF EMPLOYEES 1

3

4 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
 5 Arkansas Towing and Recovery Board, to be payable from cash funds as defined  
 6 by Arkansas Code 19-4-801 of the Arkansas Towing and Recovery Board, for  
 7 personal services and operating expenses of the Arkansas Towing and Recovery  
 8 Board for the biennial period ending June 30, 1999, the following:

9

10 ITEM	FISCAL YEARS	
11 <del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
12 (01) REGULAR SALARIES	\$ 19,883	\$ 20,439
13 (02) PERSONAL SERV MATCHING	6,533	6,632
14 (03) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE	22,814	22,814
16 (B) CONF. & TRVL.	0	0
17 (C) PROF. FEES	0	0
18 (D) CAP. OUTLAY	0	0
19 (E) DATA PROC.	<u>0</u>	<u>0</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$ 49,230</u>	<u>\$ 49,885</u>

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22 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 23 this Act for Maintenance and General Operation shall be expended in payment  
 24 for services of attorneys, unless the agency shall first make a request in  
 25 writing to the Attorney General of the State of Arkansas to provide the  
 26 required legal services. The Attorney General's Office shall provide the  
 27 requested legal services, or, if the Attorney General's Office shall determine  
 28 that sufficient personnel are not available to provide the requested legal  
 29 services, the Attorney General shall certify the same to the agency and may  
 30 authorize the agency to employ legal counsel and to expend monies appropriated  
 31 for Maintenance and General Operations therefor, if:

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

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

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

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7           SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
8 authorized by this Act shall be limited to the appropriation for such agency  
9 and funds made available by law for the support of such appropriations; and  
10 the restrictions of the State Purchasing Law, the General Accounting and  
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
12 Procedures and Restrictions Act, or their successors, and other fiscal control  
13 laws of this State, where applicable, and regulations promulgated by the  
14 Department of Finance and Administration, as authorized by law, shall be  
15 strictly complied with in disbursement of said funds.

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17           SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
18 Assembly that any funds disbursed under the authority of the appropriations  
19 contained in this Act shall be in compliance with the stated reasons for which  
20 this Act was adopted, as evidenced by the Agency Requests, Executive  
21 Recommendations and Legislative Recommendations contained in the budget  
22 manuals prepared by the Department of Finance and Administration, letters, or  
23 summarized oral testimony in the official minutes of the Arkansas Legislative  
24 Council or Joint Budget Committee which relate to its passage and adoption.

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26           SECTION 6. CODE. All provisions of this Act of a general and permanent  
27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
28 Code Revision Commission shall incorporate the same in the Code.

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30           SECTION 7. SEVERABILITY. If any provision of this Act or the  
31 application thereof to any person or circumstance is held invalid, such  
32 invalidity shall not affect other provisions or applications of the Act which  
33 can be given effect without the invalid provision or application, and to this  
34 end the provisions of this Act are declared to be severable.

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1 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
 2 with this Act are hereby repealed.

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4 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
 5 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
 6 prohibits the appropriation of funds for more than a two (2) year period; that  
 7 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
 8 the agency for which the appropriations in this Act are provided, and that in  
 9 the event of an extension of the Regular Session, the delay in the effective  
 10 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
 11 proper administration and provision of essential governmental programs.  
 12 Therefore, an emergency is hereby declared to exist and this Act being  
 13 necessary for the immediate preservation of the public peace, health and  
 14 safety shall be in full force and effect from and after July 1, 1997.

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16 APPROVED: 1-29-97

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