

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 205 of 1999  
HOUSE BILL 1381

5 By: Joint Budget Committee  
6  
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## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 FOR THE ARKANSAS TOWING AND RECOVERY BOARD WHICH SHALL  
11 BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS  
12 APPROPRIATED BY ACT 26 OF 1997; AND FOR OTHER  
13 PURPOSES. "

## Subtitle

15 "AN ACT FOR THE ARKANSAS TOWING AND  
16 RECOVERY BOARD SUPPLEMENTAL  
17 APPROPRIATION. "  
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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 - OPERATIONS. There is hereby established for  
24 the Arkansas Towing and Recovery Board the following maximum number of regular  
25 employees which shall be supplemental and in addition to those positions  
26 authorized in Section 1 of Act 26 of 1997 and whose salaries shall be governed  
27 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
28 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
29 Provided, however, that any position to which a specific maximum annual salary  
30 is set out herein in dollars, shall be exempt from the provisions of said  
31 Uniform Classification and Compensation Act. All persons occupying positions  
32 authorized herein are hereby governed by the provisions of the Regular  
33 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
34 successor.  
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Maximum Annual

\*LEB036\*

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Item Class	Maximum No. of Employees	Salary Rate Fiscal Year 1998-1999
(1) TOWING & RECOVERY BOARD CLERK TYPIST	1	\$15,175
MAX. NO. OF EMPLOYEES	1	

SECTION 2. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to the Arkansas Towing and Recovery Board, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Towing and Recovery Board, for personal services of the Arkansas Towing and Recovery Board which shall be supplemental and in addition to those funds appropriated in Section 2 of Act 26 of 1997, the following:

ITEM NO.	FISCAL YEAR 1998-1999
(01) REGULAR SALARIES	\$ 7,588
(02) PERSONAL SERV MATCHING	2,953
TOTAL AMOUNT APPROPRIATED	<u>\$ 10,541</u>

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

- (1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and
- (2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency.

Such certification shall be required with respect to each instance of the employment of special legal counsel, or shall be required annually with respect to legal counsel employed on a retainer basis. A copy of such

1 certification shall be entered in the official minutes of the agency, and  
 2 shall be retained in the fiscal records of the agency for audit purposes.

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

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

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

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

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 33 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict with  
 34 this act are hereby repealed.

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 36 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the

1 Eighty-second General Assembly, that funds provided by the General Assembly  
2 for the operations of the Arkansas Towing and Recovery Board are, due to  
3 unforeseen circumstances, insufficient for the Arkansas Towing and Recovery  
4 Board to continue to provide essential governmental services; that the  
5 provisions of this act will provide the necessary monies for the Arkansas  
6 Towing and Recovery Board to continue such services; and that a delay in the  
7 effective date of this Act could work irreparable harm upon the proper  
8 administration and provision of essential governmental programs. Therefore, an  
9 emergency is hereby declared to exist and this Act being necessary for the  
10 immediate preservation of the public peace, health and safety shall be in full  
11 force and effect from and after the date of its passage and approval.  
12   If the bill is neither approved nor vetoed by the Governor, it shall become  
13 effective on the expiration of the period of time during which the Governor  
14 may veto the bill. If the bill is vetoed by the Governor and the veto is  
15 overridden, it shall become effective on the date the last house overrides the  
16 veto.

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19 APPROVED: 2/19/1999  
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