

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

*As Engrossed: S3/25/15*  
**A Bill**

SENATE BILL 9

5 By: Joint Budget Committee  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS TOWING AND  
10 RECOVERY BOARD FOR THE FISCAL YEAR ENDING JUNE 30,  
11 2016; AND FOR OTHER PURPOSES.  
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14 **Subtitle**

15 AN ACT FOR THE ARKANSAS TOWING AND  
16 RECOVERY BOARD APPROPRIATION FOR THE  
17 2015-2016 FISCAL YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
23 for the Arkansas Towing and Recovery Board for the 2015-2016 fiscal year, the  
24 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 2015-2016
30	(1) X147C	AR TOWING & RECOVERY BOARD DIRECTOR	1	GRADE C115
31	(2) X170C	AR TOWING & RECOVERY BD INVESTIGATOR	3	GRADE C113
32	(3) C087C	ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE C106
33		MAX. NO. OF EMPLOYEES	5	

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35 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
36 to the Arkansas Towing and Recovery Board, to be payable from cash funds as



1 defined by Arkansas Code 19-4-801 of the Arkansas Towing and Recovery Board,  
 2 for personal services and operating expenses of the Arkansas Towing and  
 3 Recovery Board for the fiscal year ending June 30, 2016, the following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2015-2016</u>
7 (01) REGULAR SALARIES	\$140,840
8 (02) PERSONAL SERVICES MATCHING	55,886
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	47,124
11 (B) CONF. & TRAVEL	0
12 (C) PROF. FEES	7,200
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u><u>\$251,050</u></u>

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

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

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

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

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1           SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. OFFICE  
3 LOCATION. The Arkansas Towing and Recovery Board shall maintain an office  
4 location in Little Rock staffed with one or more employees of the State of  
5 Arkansas who are authorized and deputized to perform and execute any and all  
6 administrative services or responsibilities of the Arkansas Towing and  
7 Recovery Board and shall maintain the regular business office hours of the  
8 government of the State of Arkansas.

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10           The provisions of this section shall be in effect only from November 1,  
11 2015 through June 30, 2016.

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13           SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
14 authorized by this act shall be limited to the appropriation for such agency  
15 and funds made available by law for the support of such appropriations; and  
16 the restrictions of the State Procurement Law, the General Accounting and  
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
18 Procedures and Restrictions Act, or their successors, and other fiscal  
19 control laws of this State, where applicable, and regulations promulgated by  
20 the Department of Finance and Administration, as authorized by law, shall be  
21 strictly complied with in disbursement of said funds.

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23           SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
24 Assembly that any funds disbursed under the authority of the appropriations  
25 contained in this act shall be in compliance with the stated reasons for  
26 which this act was adopted, as evidenced by the Agency Requests, Executive  
27 Recommendations and Legislative Recommendations contained in the budget  
28 manuals prepared by the Department of Finance and Administration, letters, or  
29 summarized oral testimony in the official minutes of the Arkansas Legislative  
30 Council or Joint Budget Committee which relate to its passage and adoption.

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32           SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
33 Assembly, that the Constitution of the State of Arkansas prohibits the  
34 appropriation of funds for more than a one (1) year period; that the  
35 effectiveness of this Act on July 1, 2015 is essential to the operation of  
36 the agency for which the appropriations in this Act are provided, and that in

1 the event of an extension of the legislative session, the delay in the  
2 effective date of this Act beyond July 1, 2015 could work irreparable harm  
3 upon the proper administration and provision of essential governmental  
4 programs. Therefore, an emergency is hereby declared to exist and this Act  
5 being necessary for the immediate preservation of the public peace, health  
6 and safety shall be in full force and effect from and after July 1, 2015.

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8 */s/Joint Budget Committee*

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11 **APPROVED: 04/02/2015**  
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