

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 14 of the Regular Session

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

SENATE BILL 84

5 By: Joint Budget Committee  
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7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 TOWING AND RECOVERY BOARD FOR THE FISCAL YEAR  
12 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE ARKANSAS TOWING AND  
16 RECOVERY BOARD APPROPRIATION FOR THE  
17 2009-2010 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 - OPERATIONS. There is hereby established for  
24 the Arkansas Towing and Recovery Board for the 2009-2010 fiscal year, the  
25 following maximum number of regular employees whose salaries shall be  
26 governed by the provisions of the Uniform Classification and Compensation Act  
27 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
28 thereto. Provided, however, that any position to which a specific maximum  
29 annual salary is set out herein in dollars, shall be exempt from the  
30 provisions of said Uniform Classification and Compensation Act. All persons  
31 occupying positions authorized herein are hereby governed by the provisions  
32 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
33 101), or its successor.  
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Maximum Annual



1		Maximum	Salary Rate
2	Item Class	No. of	Fiscal Year
3	No. Code Title	Employees	2009-2010
4	(1) X147C AR TOWING & RECOVERY BOARD DIRECTOR	1	GRADE C115
5	(2) X170C AR TOWING & RECOVERY BD INVESTIGATOR	1	GRADE C113
6	(3) C087C ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE C106
7	MAX. NO. OF EMPLOYEES	3	

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9 SECTION 2. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to  
 10 the Arkansas Towing and Recovery Board, to be payable from cash funds as  
 11 defined by Arkansas Code 19-4-801 of the Arkansas Towing and Recovery Board,  
 12 for personal services and operating expenses of the Arkansas Towing and  
 13 Recovery Board for the fiscal year ending June 30, 2010, the following:

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15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2009-2010</u>
17	(01) REGULAR SALARIES	\$ 83,049
18	(02) PERSONAL SERVICES MATCHING	30,129
19	(03) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	42,840
21	(B) CONF. & TRAVEL	0
22	(C) PROF. FEES	7,200
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 163,218</u>

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

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

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

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

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

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

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30 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
31 Assembly, that the Constitution of the State of Arkansas prohibits the  
32 appropriation of funds for more than a one (1) year period; that the  
33 effectiveness of this Act on July 1, 2009 is essential to the operation of  
34 the agency for which the appropriations in this Act are provided, and that in  
35 the event of an extension of the Regular Session, the delay in the effective  
36 date of this Act beyond July 1, 2009 could work irreparable harm upon the

1 proper administration and provision of essential governmental programs.  
2 Therefore, an emergency is hereby declared to exist and this Act being  
3 necessary for the immediate preservation of the public peace, health and  
4 safety shall be in full force and effect from and after July 1, 2009.

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7 **APPROVED: 2/4/2009**  
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