

1 State of Arkansas *As Engrossed: S4/5/13 H4/12/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

SENATE BILL 26

4

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

2014; AND FOR OTHER PURPOSES.

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13

14

Subtitle

15

AN ACT FOR THE ARKANSAS TOWING AND

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RECOVERY BOARD APPROPRIATION FOR THE

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2013-2014 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 2013-2014 fiscal year, the
24 following maximum number of regular employees.

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Maximum Annual

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Maximum

Salary Rate

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Item

No. of

Fiscal Year

29

No.

Title

Employees

2013-2014

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(1) X147C AR TOWING & RECOVERY BOARD DIRECTOR 1 GRADE C115

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(2) X170C AR TOWING & RECOVERY BD INVESTIGATOR 3 GRADE C113

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(3) C087C ADMINISTRATIVE SPECIALIST I 1 GRADE C106

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MAX. NO. OF EMPLOYEES 5

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SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for

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the Arkansas Towing and Recovery Board for the 2013-2014 fiscal year, the



1 following maximum number of part-time or temporary employees, to be known as
 2 "Extra Help", payable from funds appropriated herein for such purposes: one
 3 (1) temporary or part-time employees, when needed, at rates of pay not to
 4 exceed those provided in the Uniform Classification and Compensation Act, or
 5 its successor, or this act for the appropriate classification.

6
 7 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 8 to the Arkansas Towing and Recovery Board, to be payable from cash funds as
 9 defined by Arkansas Code 19-4-801 of the Arkansas Towing and Recovery Board,
 10 for personal services and operating expenses of the Arkansas Towing and
 11 Recovery Board for the fiscal year ending June 30, 2014, the following:

13 ITEM	FISCAL YEAR
14 NO.	2013-2014
15 (01) REGULAR SALARIES	\$143,169
16 (02) EXTRA HELP	10,000
17 (03) PERSONAL SERVICES MATCHING	49,305
18 (04) MAINT. & GEN. OPERATION	
19 (A) OPER. EXPENSE	47,124
20 (B) CONF. & TRAVEL	0
21 (C) PROF. FEES	7,200
22 (D) CAP. OUTLAY	0
23 (E) DATA PROC.	<u>0</u>
24 TOTAL AMOUNT APPROPRIATED	<u><u>\$256,798</u></u>

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 26 SECTION 4. Arkansas Code § 27-50-1203(f)(1), concerning business
 27 license fees for towing and recovery, is amended to read as follows:

28 (f)(1) The board shall have the authority to levy applicable towing
 29 business license fees not to exceed ~~one hundred dollars (\$100)~~ two hundred
 30 dollars (\$200) per license, and the board shall have the authority to levy an
 31 applicable tow vehicle safety permit fee not to exceed ~~fifty dollars (\$50.00)~~
 32 one hundred dollars (\$100) per tow vehicle safety permit.

33 (2) Furthermore, the board shall also have the authority to impose
 34 late filing fees in addition to the original filing fees in an amount not to
 35 exceed the original amount of the license fee or safety permit fee.

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

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

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

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

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

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4 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a one (1) year period; that the
7 effectiveness of this Act on July 1, 2013 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 legislative session, the delay in the
10 effective date of this Act beyond July 1, 2013 could work irreparable harm
11 upon the proper administration and provision of essential governmental
12 programs. Therefore, an emergency is hereby declared to exist and this Act
13 being necessary for the immediate preservation of the public peace, health
14 and safety shall be in full force and effect from and after July 1, 2013.

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16 */s/ Joint Budget Committee*

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19 **APPROVED: 04/19/2013**
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