

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

A Bill

HOUSE BILL 1381

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

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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

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16 "AN ACT FOR THE ARKANSAS TOWING AND
17 RECOVERY BOARD SUPPLEMENTAL
18 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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