

1 State of Arkansas  
2 87th General Assembly  
3 Fiscal Session, 2010

# A Bill

SENATE BILL 16

4  
5 By: Joint Budget Committee  
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## 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, 2011; AND FOR OTHER PURPOSES.  
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## Subtitle

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15 AN ACT FOR THE ARKANSAS TOWING AND  
16 RECOVERY BOARD APPROPRIATION FOR THE  
17 2010-2011 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 2010-2011 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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35 Maximum Annual  
36 Maximum Salary Rate



Item	Class	No. of	Fiscal Year
No.	Code Title	Employees	2010-2011
(1)	X147C AR TOWING & RECOVERY BOARD DIRECTOR	1	GRADE C115
(2)	X170C AR TOWING & RECOVERY BD INVESTIGATOR	1	GRADE C113
(3)	C087C ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE C106
	MAX. NO. OF EMPLOYEES	3	

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 and operating expenses of the Arkansas Towing and Recovery Board for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
NO.	2010-2011
(01) REGULAR SALARIES	\$ 84,795
(02) PERSONAL SERVICES MATCHING	30,457
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	42,840
(B) CONF. & TRAVEL	0
(C) PROF. FEES	7,200
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 165,292</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

1 agency needs the advice or assistance of legal counsel, and

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

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

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

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

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29 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
30 Assembly, that the Constitution of the State of Arkansas prohibits the  
31 appropriation of funds for more than a one (1) year period; that the  
32 effectiveness of this Act on July 1, 2010 is essential to the operation of  
33 the agency for which the appropriations in this Act are provided, and that in  
34 the event of an extension of the legislative session, the delay in the  
35 effective date of this Act beyond July 1, 2010 could work irreparable harm  
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act  
2 being necessary for the immediate preservation of the public peace, health  
3 and safety shall be in full force and effect from and after July 1, 2010.

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