

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

A Bill

SENATE BILL 40

5 By: Joint Budget Committee
6

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 2017; AND FOR OTHER PURPOSES.
12
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Subtitle

14 AN ACT FOR THE ARKANSAS TOWING AND
15 RECOVERY BOARD APPROPRIATION FOR THE
16 2016-2017 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 2016-2017 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 2016-2017
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 the cash fund



1 deposited in the State Treasury as determined by the Chief Fiscal Officer of
 2 the State, for personal services and operating expenses of the Arkansas
 3 Towing and Recovery Board for the fiscal year ending June 30, 2017, the
 4 following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2016-2017</u>
8 (01) REGULAR SALARIES	\$140,840
9 (02) PERSONAL SERV MATCHING	55,886
10 (03) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	47,124
12 (B) CONF. & TRAVEL	0
13 (C) PROF. FEES	7,200
14 (D) CAP. OUTLAY	0
15 (E) DATA PROC.	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$251,050</u></u>

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

- 28 (1) The Attorney General determines, and certifies in writing, that
- 29 such agency needs the advice or assistance of legal counsel, and
- 30 (2) The Attorney General consents in writing to the employment of the
- 31 legal counsel to be retained by the agency.

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

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

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

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

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

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of 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, 2016 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, 2016.

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9 **APPROVED: 05/04/2016**
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