

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

# A Bill

SENATE BILL 59

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
10 TOWING AND RECOVERY BOARD FOR THE FISCAL YEAR  
11 ENDING JUNE 30, 2013; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE ARKANSAS TOWING AND RECOVERY  
15 BOARD APPROPRIATION FOR THE 2012-2013  
16 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 2012-2013 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 2012-2013
30	(1) X147C	AR TOWING & RECOVERY BOARD DIRECTOR	1	GRADE C115
31	(2) X170C	AR TOWING & RECOVERY BD INVESTIGATO	1	GRADE C113
32	(3) C087C	ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE C106
33	MAX. NO. OF EMPLOYEES		3	

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35 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
36 the Arkansas Towing and Recovery Board for the 2012-2013 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.

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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, 2013, the following:

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2012-2013</u>
15 (01) REGULAR SALARIES	\$91,660
16 (02) EXTRA HELP	10,000
17 (03) PERSONAL SERVICES MATCHING	32,480
18 (04) MAINT. & GEN. OPERATION	
19 (A) OPER. EXPENSE	42,840
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>\$184,180</u></u>

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26 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
27 this Act for Maintenance and General Operation shall be expended in payment  
28 for services of attorneys, unless the agency shall first make a request in  
29 writing to the Attorney General of the State of Arkansas to provide the  
30 required legal services. The Attorney General's Office shall provide the  
31 requested legal services, or, if the Attorney General's Office shall  
32 determine that sufficient personnel are not available to provide the  
33 requested legal services, the Attorney General shall certify the same to the  
34 agency and may authorize the agency to employ legal counsel and to expend  
35 monies appropriated for Maintenance and General Operations therefor, if:

36 (1) The Attorney General determines, and certifies in writing, that

1 such 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  
5 the 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 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
11 authorized by this act shall be limited to the appropriation for such agency  
12 and funds made available by law for the support of such appropriations; and  
13 the 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 6. LEGISLATIVE INTENT. It is the intent of the General  
21 Assembly that any funds disbursed under the authority of the appropriations  
22 contained in this act shall be in compliance with the stated reasons for  
23 which this act was adopted, as evidenced by the Agency Requests, Executive  
24 Recommendations and Legislative Recommendations contained in the budget  
25 manuals prepared by the Department of Finance and Administration, letters, or  
26 summarized oral testimony in the official minutes of the Arkansas Legislative  
27 Council or Joint Budget Committee which relate to its passage and adoption.

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29 SECTION 7. 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, 2012 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, 2012 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, 2012.

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