

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

SENATE BILL 178

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ARKANSAS TOWING AND
11 RECOVERY BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2003; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE ARKANSAS TOWING AND
16 RECOVERY BOARD APPROPRIATION FOR
17 THE 2001-2003 BIENNIAL.
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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 2001-2003 biennium, the
25 following maximum number of regular employees whose salaries shall be governed
26 by the provisions of the Uniform Classification and Compensation Act (Arkansas
27 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual salary
29 is set out herein in dollars, shall be exempt from the provisions of said
30 Uniform Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
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Maximum Annual

PDA007

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Item Class	Maximum No. of Employees	Salary Rate Fiscal Years
No. Code Title	2001-2002	2002-2003
(1) 8913 AT&RB ADMINISTRATIVE ASST II	1	\$22,677 \$23,266
(2) 8043 AR TOWING & RECOVERY BRD CLERK TYPIST	1	\$16,446 \$16,873
MAX. NO. OF EMPLOYEES	2	

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 biennial period ending June 30, 2003, the following:

ITEM NO.		FISCAL YEARS	
		2001-2002	2002-2003
(01)	REGULAR SALARIES	\$ 39,123	\$ 40,139
(02)	PERSONAL SERV MATCHING	12,858	13,037
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	41,035	39,092
(B)	CONF. & TRAVEL	0	0
(C)	PROF. FEES	3,000	3,000
(D)	CAP. OUTLAY	1,500	1,500
(E)	DATA PROC.	3,000	3,000
	TOTAL AMOUNT APPROPRIATED	\$ 100,516	\$ 99,768

SECTION 3. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall

1 provide sufficient financial data to justify the expenditures and shall
 2 include the following:

3 1) a plan that clearly indicates the specific fiscal impact of such
 4 expenditures on the fund balance.

5 2) information clearly indicating and explaining what programs would be cut or
 6 any other measures to be taken by the agency to restore the fund balance.

7 3) the extent to which any of the planned expenditures are for one-time costs
 8 or one-time purchase of capitalized items.

9 4) a statement certifying that the expenditure of fund balances will not
 10 jeopardize the financial health of the agency, nor result in a permanent
 11 depletion of the fund balance.

12 (B) The Chief Fiscal Officer of the State shall review the request and
 13 approve or disapprove all or any part of the request , after having sought
 14 prior review by the Legislative Council.

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 16 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this
 17 Act for Maintenance and General Operation shall be expended in payment for
 18 services of attorneys, unless the agency shall first make a request in writing
 19 to the Attorney General of the State of Arkansas to provide the required legal
 20 services. The Attorney General's Office shall provide the requested legal
 21 services, or, if the Attorney General's Office shall determine that sufficient
 22 personnel are not available to provide the requested legal services, the
 23 Attorney General shall certify the same to the agency and may authorize the
 24 agency to employ legal counsel and to expend monies appropriated for
 25 Maintenance and General Operations therefor, if:

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

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

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

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 36 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by

1 this act shall be limited to the appropriation for such agency and funds made
2 available by law for the support of such appropriations; and the restrictions
3 of the State Purchasing Law, the General Accounting and Budgetary Procedures
4 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
5 Restrictions Act, or their successors, and other fiscal control laws of this
6 State, where applicable, and regulations promulgated by the Department of
7 Finance and Administration, as authorized by law, shall be strictly complied
8 with in disbursement of said funds.

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

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19 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
20 Assembly, that the Constitution of the State of Arkansas prohibits the
21 appropriation of funds for more than a two (2) year period; that the
22 effectiveness of this Act on July 1, 2001 is essential to the operation of the
23 agency for which the appropriations in this Act are provided, and that in the
24 event of an extension of the Regular Session, the delay in the effective date
25 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
26 administration and provision of essential governmental programs. Therefore, an
27 emergency is hereby declared to exist and this Act being necessary for the
28 immediate preservation of the public peace, health and safety shall be in full
29 force and effect from and after July 1, 2001.