

Act 46 of the First Special Session of 1989.

Act 46

SB45

By: Joint Budget Committee

For An Act To Be Entitled
"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
OPERATING EXPENSES OF THE OFFICE OF ATTORNEY GENERAL FOR THE
BIENNIAL PERIOD ENDING JUNE 30, 1991; AND FOR OTHER
PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES. There is hereby established for the Office of Attorney General for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	7305	ATTY GEN DEPUTY ATTY GEN	4	\$45,649	\$46,792
(2)	7304	ATTY GEN CHIEF DEPUTY	1	\$45,649	\$46,792
(3)	7061	ATTY GEN DEATH PENALTY SPECIALIST	1	\$44,623	\$45,740
(4)	7306	ATTY GEN ASSISTANT ATTY GEN	1	\$44,623	\$45,740
(5)	7307	ATTY GEN ASSISTANT ATTY GEN	4	\$40,618	\$41,633
(6)	7308	ATTY GEN DEPUTY ATTY GEN	1	\$38,536	\$39,499
(7)	7309	ATTY GEN ASSISTANT ATTY GEN (FLS)	1	\$38,115	\$39,067
(8)	7310	ATTY GEN ASSISTANT ATTY GEN	1	\$37,848	\$38,794
(9)	7311	ATTY GEN ASSISTANT ATTY GEN	4	\$37,675	\$38,617
(10)	7312	ATTY GEN ASSISTANT ATTY GEN	1	\$36,910	\$37,833
(11)	7313	ATTY GEN STATISTICIAN	1	\$36,910	\$37,833
(12)	7314	ATTY GEN ASSISTANT A G-STATE POLICE	1	\$35,463	\$36,350
(13)	7315	ATTY GEN ASSISTANT ATTY GEN	1	\$35,304	\$36,187
(14)	7316	ATTY GEN ASSISTANT ATTY GEN	5	\$34,788	\$35,657
(15)	7317	ATTY GEN ASSISTANT ATTY GEN	1	\$31,591	\$32,380
(16)	7318	ATTY GEN ADMINISTRATIVE ASSISTANT	1	\$28,062	\$28,764
(17)	7319	ATTY GEN INVESTIGATOR	1	\$27,863	\$28,559
(18)	7320	ATTY GEN LEGAL INTERN	1	\$26,984	\$27,659
(19)	7321	ATTY GEN PARALEGAL	1	\$26,785	\$27,455
(20)	7998	A G ASST ATTY GENERAL	2	\$25,000	\$25,625
(21)	7322	ATTY GEN CRIMINAL LAW ED DIR	1	\$23,945	\$24,544
(22)	7323	ATTY GEN INVESTIGATOR	1	\$22,156	\$22,710
(23)	7324	ATTY GEN SECRETARY	1	\$19,850	\$20,346
(24)	7325	ATTY GEN CASE-WORK COORDINATOR	3	\$19,274	\$19,755
(25)	7326	ATTY GEN ACCOUNTANT	1	\$19,162	\$19,641
(26)	7327	ATTY GEN INVESTIGATOR	1	\$19,162	\$19,641
(27)	7328	ATTY GEN SECRETARY GENERAL	1	\$18,371	\$18,830
(28)	7330	ATTY GEN SECRETARY	1	\$17,980	\$18,429
(29)	7329	ATTY GEN SECRETARY III	6	\$17,979	\$18,428

(30) 7331 ATTY GEN RESEARCH ANALYST	1	\$16,769	\$17,188
(31) 7332 ATTY GEN SECRETARY II	2	\$15,917	\$16,315
(32) 7333 ATTY GEN SECRETARY I	1	\$14,425	\$14,785
MAX NO. OF EMPLOYEES	54		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Office of Attorney General for the 1989-91 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: four (4) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the regular salary schedule for comparable services for the Office of Attorney General.

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Office of Attorney General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Office of Attorney General for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 1,624,324	\$ 1,664,932
(02) EXTRA HELP	13,000	13,000
(03) PERSONAL SERV MATCHING	358,970	377,147
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 442,312	\$ 453,370
(B) CONF. & TRAVEL	10,250	10,506
(C) PROF. FEES	27,000	27,000
(D) CAPITAL OUTLAY	150,000	150,000
(E) DATA PROCESSING	8,000	8,000
TOTAL MAINT. & GEN. OPER.	637,562	648,876
TOTAL AMOUNT APPROPRIATED	\$ 2,633,856	\$ 2,703,955

SECTION 4. REGULAR SALARIES - CONSUMER UTILITIES RATE ADVOCACY DIVISION. There is hereby established for the Office of Attorney General - Consumer Utilities Rate Advocacy Division for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1989-90	1990-91
(1)	7284	C U R A D DIRECTOR	1	\$45,753	\$46,897
(2)	7285	C U R A D ECONOMIST	1	\$33,228	\$34,059
(3)	7286	C U R A D ASST ATTORNEY GENERAL	2	\$33,117	\$33,945
(4)	7287	C U R A D ATTORNEY	1	\$29,793	\$30,537
(5)	7288	C U R A D ACCOUNTANT	2	\$28,862	\$29,584
(6)	7289	C U R A D ADMIN ASSISTANT	1	\$25,942	\$26,590
(7)	7290	C U R A D SECRETARY	1	\$17,839	\$18,285
		MAX NO. OF EMPLOYEES	9		

SECTION 5. APPROPRIATIONS - CONSUMER UTILITIES RATE ADVOCACY DIVISION.

There is hereby appropriated, to the Office of Attorney General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Office of Attorney General - Consumer Utilities Rate Advocacy Division for the biennial period ending June 30, 1991, the following:

ITEM		FISCAL YEARS	
NO.		1989-90	1990-91
(01)	REGULAR SALARIES	\$ 276,513	\$ 283,426
(02)	PERSONAL SERV MATCHING	60,703	63,562
(03)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$ 44,639	\$ 45,755
	(B) CONF. & TRAVEL	7,575	7,764
	(C) PROF. FEES	50,000	50,000
	(D) CAPITAL OUTLAY	0	0
	(E) DATA PROCESSING	0	0
	TOTAL MAINT. & GEN. OPER.	102,214	103,519
	TOTAL AMOUNT APPROPRIATED	\$ 439,430	\$ 450,507

SECTION 6. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM. There is hereby established for the Office of Attorney General - Crime Victims Reparations Program for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item Class		Maximum	Salary Rate	
No.	Code Title	No. of	Fiscal Years	
		Employees	1989-90	1990-91
(1)	7997 A G CRIME VICTIM INVESTIGATOR	1	\$18,000	\$18,450
	MAX NO. OF EMPLOYEES	1		

SECTION 7. APPROPRIATIONS - CRIME VICTIMS REPARATIONS PROGRAM. There is hereby appropriated, to the Office of Attorney General, to be payable from the Crime Victims Reparation Revolving Fund, for personal services and operating expenses and payment of claims of the Office of Attorney General - Crime Victims Reparation Program for the biennial period ending June 30, 1991, the following:

ITEM		FISCAL YEARS	
NO.		1989-90	1990-91
(01)	REGULAR SALARIES	\$ 18,000	\$ 18,450
(02)	PERSONAL SERV MATCHING	4,463	4,737
(03)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$ 20,125	\$ 20,628
	(B) CONF. & TRAVEL	2,255	2,311
	(C) PROF. FEES	1,500	1,500
	(D) CAPITAL OUTLAY	2,000	2,500
	(E) DATA PROCESSING	0	0
	TOTAL MAINT. & GEN. OPER.	25,880	26,939
(04)	CLAIMS	500,000	500,000
	TOTAL AMOUNT APPROPRIATED	\$ 548,343	\$ 550,126

SECTION 8. REGULAR SALARIES - CONSUMER PROTECTION DIVISION. There is

hereby established for the Office of Attorney General - Consumer Protection Division for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	7291	CNSMR PROTECT DIV CONSUMER COUNSEL	1	\$38,531	\$39,494
(2)	7292	CNSMR PROTECT DIV CHF INVESTIGATOR	1	\$25,996	\$26,646
(3)	7487	PRGM MGR-MISSING CHILDREN SVCS	1	\$24,967	\$25,591
(4)	7293	CNSMR PROTECT DIV INVESTIGATOR	2	\$19,163	\$19,641
(5)	7294	CNSMR PROTECT DIV SECRETARY	2	\$17,984	\$18,433
(6)	7488	ADMIN ASST-MISSING CHILDREN SVCS	1	\$17,484	\$17,923
(7)	7295	CNSMR PROTECT DIV COUNSELOR	4	\$ 3,738	\$ 3,832
MAX NO. OF EMPLOYEES			12		

SECTION 9. APPROPRIATIONS - CONSUMER PROTECTION DIVISION. There is hereby appropriated, to the Office of Attorney General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Office of Attorney General - Consumer Protection Division for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS				
	1989-90		1990-91		
(01)	REGULAR SALARIES	\$	196,224	\$	201,130
(02)	PERSONAL SERV MATCHING		44,600		47,499
(03)	MAINT. & GEN. OPERATION				
	(A) OPER. EXPENSES	\$	44,024	\$	45,125
	(B) CONF. & TRAVEL		3,397		3,482
	(C) PROF. FEES		0		0
	(D) CAPITAL OUTLAY		0		0
	(E) DATA PROCESSING		0		0
	TOTAL MAINT. & GEN. OPER.		47,421		48,607
	TOTAL AMOUNT APPROPRIATED	\$	288,245	\$	297,236

SECTION 10. REGULAR SALARIES - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby established for the Office of Attorney General - Medicaid Fraud Division - Federal for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	7296	MEDICAID FRAUD DIRECTOR	1	\$45,648	\$46,792
(2)	7297	MEDICAID FRAUD ASSISTANT DIRECTOR	1	\$42,278	\$43,336

(3) 7298 MEDICAID FRAUD ASST ATTORNEY GEN	1	\$34,791	\$35,661
(4) 7299 MEDICAID FRAUD INVESTIGATOR	9	\$27,865	\$28,561
(5) 7300 MEDICAID FRAUD SECRETARY	2	\$19,896	\$20,394
MAX NO. OF EMPLOYEES	14		

SECTION 11. APPROPRIATIONS - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby appropriated, to the Office of Attorney General, to be payable from the Attorney General Federal Fund in the State Treasury, for personal services of the Office of Attorney General - Medicaid Fraud Division - Federal for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 413,294	\$ 423,626
(02) PERSONAL SERV MATCHING	28,560	30,621
TOTAL AMOUNT APPROPRIATED	\$ 441,854	\$ 454,247

SECTION 12. APPROPRIATIONS - MEDICAID FRAUD DIVISION - STATE. There is hereby appropriated, to the Office of Attorney General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Office of Attorney General - Medicaid Fraud Division - State for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) PERSONAL SERV MATCHING	\$ 62,848	\$ 65,456
(02) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 50,686	\$ 51,953
(B) CONF. & TRAVEL	10,250	10,506
(C) PROF. FEES	5,000	5,000
(D) CAPITAL OUTLAY	18,500	18,500
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	84,436	85,959
TOTAL AMOUNT APPROPRIATED	\$ 147,284	\$ 151,415

SECTION 13. APPROPRIATIONS - MEDICAID FRAUD DIVISION - INDIRECT COSTS. There is hereby appropriated, to the Office of Attorney General, to be payable from the Attorney General Federal Fund in the State Treasury, for operating expenses of the Office of Attorney General - Medicaid Fraud Division - Indirect Costs for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 150,000	\$ 150,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	150,000	150,000
TOTAL AMOUNT APPROPRIATED	\$ 150,000	\$ 150,000

SECTION 14. APPROPRIATIONS - CASH. There is hereby appropriated, to the Office of Attorney General, to be payable from cash funds of the Office of Attorney General, for refunds by the Office of Attorney General for the biennial period ending June 30, 1991, the following:

ITEM	FISCAL YEARS
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NO.		1989-90	1990-91
(01)	REFUNDS	\$ 200,000	\$ 200,000

SECTION 15. The disbursing officer of the appropriations provided for herein, shall deposit all monies received by the Office of Attorney General as attorney fees in the State Central Services Fund as direct revenues.

SECTION 16. FUNDING RESTRICTION. The Attorney General shall not enter into any contract for the employment of outside legal counsel without first seeking prior review by the Arkansas Legislative Council.

SECTION 17. 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 Purchasing 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 18. 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 19. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code. Act 290 of 1989 is hereby repealed.

SECTION 20. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989.

APPROVED: June 23, 1989
