

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1155

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 OFFICE OF ATTORNEY
10 GENERAL FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND
11 FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE OFFICE OF ATTORNEY GENERAL
15 APPROPRIATION FOR THE 2013-2014 FISCAL
16 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 Office of Attorney General for the 2013-2014 fiscal year, the
24 following maximum number of regular employees.
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26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2013-2014
30	(1)	Q066U	ATTORNEY GENERAL I	2	\$123,362
31	(2)	Q065U	ATTORNEY GENERAL II	9	\$112,751
32	(3)	Q124U	ATTORNEY GENERAL III	11	\$103,499
33	(4)	Q064U	ATTORNEY GENERAL IV	6	\$98,071
34	(5)	Q102U	CHIEF FISCAL OFFICER	1	\$92,096
35	(6)	Q063U	ATTORNEY GENERAL V	9	\$88,944
36	(7)	Q067U	NETWORK ADMINISTRATOR	1	\$87,734



1	(8)	Q061U	ATTORNEY GENERAL VI	11	\$83,884
2	(9)	Q008U	CHIEF INVESTIGATOR	1	\$83,625
3	(10)	Q009U	COMMUNITY RELATIONS DIRECTOR	1	\$82,356
4	(11)	Q060U	ATTORNEY GENERAL VII	14	\$78,580
5	(12)	Q062U	PUBLIC INFORMATION OFFICER	1	\$77,649
6	(13)	Q072U	COMMUNICATIONS OFFICER	1	\$72,349
7	(14)	Q033U	LOGISTICS DIRECTOR	1	\$70,590
8	(15)	Q075U	FISCAL SPECIALIST I	1	\$70,284
9	(16)	Q059U	OMBUDSMAN	1	\$66,492
10	(17)	Q101U	HUMAN RESOURCES DIRECTOR	1	\$65,013
11	(18)	Q128U	ATTORNEY GENERAL VIII	4	\$64,639
12	(19)	Q070U	INVESTIGATOR II	2	\$64,000
13	(20)	Q034U	ADMINISTRATIVE ASSISTANT I	1	\$63,586
14	(21)	Q002U	LEGAL ASSISTANT	1	\$61,802
15	(22)	Q052U	LAW ED ADMINISTRATOR	1	\$60,002
16	(23)	Q073U	EXECUTIVE ASSISTANT	1	\$59,765
17	(24)	Q006U	LAW ED INSTRUCTOR I	2	\$58,824
18	(25)	Q058U	EXECUTIVE SECRETARY	1	\$57,439
19	(26)	Q023U	NETWORK SPECIALIST I	1	\$55,621
20	(27)	Q004U	ASST LOGISTICS DIRECTOR	1	\$53,319
21	(28)	Q035U	LIBRARIAN	1	\$51,344
22	(29)	Q007U	FISCAL SPECIALIST II	1	\$51,114
23	(30)	Q057U	INVESTIGATOR IV	5	\$50,855
24	(31)	Q037U	NETWORK SPECIALIST II	1	\$50,855
25	(32)	Q053U	SECRETARY I	7	\$49,472
26	(33)	Q071U	ADMINISTRATIVE ASSISTANT II	3	\$48,216
27	(34)	Q032U	LAW ED INSTRUCTOR II	1	\$48,216
28	(35)	Q025U	PARALEGAL I	2	\$47,297
29	(36)	Q127U	INVESTIGATOR V	5	\$47,241
30	(37)	Q056U	SECRETARY II	3	\$46,839
31	(38)	Q047U	CONSUMER COUNSELOR	4	\$42,439
32	(39)	Q055U	SECRETARY III	10	\$41,326
33	(40)	Q005U	COURIER	1	\$41,326
34	(41)	Q036U	RECEPTIONIST	2	\$39,812
35	(42)	Q132U	COURIER II	1	\$38,174
36	(43)	Q129U	COURIER III	<u>1</u>	\$29,061

1 MAX. NO. OF EMPLOYEES 135

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3 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 4 the Office of Attorney General for the 2013-2014 fiscal year, the following
 5 maximum number of part-time or temporary employees, to be known as "Extra
 6 Help", payable from funds appropriated herein for such purposes: eight (8)
 7 temporary or part-time employees, when needed, at rates of pay not to exceed
 8 those provided in the Uniform Classification and Compensation Act, or its
 9 successor, or this act for the appropriate classification.

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11 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 12 to the Office of Attorney General, to be payable from the State Central
 13 Services Fund, for personal services and operating expenses of the Office of
 14 Attorney General for the fiscal year ending June 30, 2014, the following:

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ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULAR SALARIES	\$9,735,476
(02) EXTRA HELP	37,224
(03) PERSONAL SERVICES MATCHING	2,826,306
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,960,342
(B) CONF. & TRAVEL	100,167
(C) PROF. FEES	476,568
(D) CAP. OUTLAY	100,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$15,236,083</u>

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 29 SECTION 4. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM. There
 30 is hereby established for the Office of Attorney General - Crime Victims
 31 Reparations Program for the 2013-2014 fiscal year, the following maximum
 32 number of regular employees.

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Item Class	Maximum No. of	Maximum Annual Salary Rate Fiscal Year
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No.	Code	Title	Employees	2013-2014
(1)	Q060U	ATTORNEY GENERAL VII	1	\$78,580
(2)	Q038U	CRIME VICTIM ADMINISTRATOR	1	\$60,002
(3)	Q007U	FISCAL SPECIALIST II	1	\$51,114
(4)	Q127U	INVESTIGATOR V	<u>8</u>	\$47,241
		MAX. NO. OF EMPLOYEES	11	

SECTION 5. EXTRA HELP - CRIME VICTIMS REPARATIONS PROGRAM. There is hereby authorized, for the Office of Attorney General - Crime Victims Reparations Program for the 2013-2014 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 6. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM. There is hereby appropriated, to the Office of Attorney General, to be payable from the Crime Victims Reparations Revolving Fund, for personal services, operating expenses and the payment of claims by the Office of Attorney General for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$571,122
(02) EXTRA HELP	14,000
(03) PERSONAL SERVICES MATCHING	181,966
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	80,558
(B) CONF. & TRAVEL	16,974
(C) PROF. FEES	11,246
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) CLAIMS	<u>3,192,982</u>
TOTAL AMOUNT APPROPRIATED	<u>\$4,068,848</u>

SECTION 7. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM - FEDERAL. There is hereby established for the Office of Attorney General - Crime Victims Reparations Program - Federal for the 2013-2014 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
(1)	Q054U	ADMINISTRATIVE ASSISTANT III	<u>1</u>	\$33,215
		MAX. NO. OF EMPLOYEES	1	

SECTION 8. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM - FEDERAL. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses and the payment of claims by the Office of Attorney General - Crime Victims Reparations Program - Federal for the fiscal year ending June 30, 2014, the following:

ITEM NO.	FISCAL YEAR 2013-2014
(01) REGULAR SALARIES	\$34,115
(02) PERSONAL SERVICES MATCHING	12,490
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	26,900
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) CLAIMS	<u>1,499,899</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,573,404</u></u>

SECTION 9. REGULAR SALARIES - MEDICAID FRAUD DIVISION - STATE. There is hereby established for the Office of Attorney General - Medicaid Fraud Division - State for the 2013-2014 fiscal year, the 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 2013-2014
(1)	Q065U	ATTORNEY GENERAL II	1	\$112,751
(2)	Q061U	ATTORNEY GENERAL VI	2	\$83,884
(3)	Q024U	AUDITOR	1	\$78,793
(4)	Q055U	SECRETARY III	<u>1</u>	\$41,326
MAX. NO. OF EMPLOYEES			5	

SECTION 10. APPROPRIATION - 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 fiscal year ending June 30, 2014, the following:

ITEM NO.	FISCAL YEAR 2013-2014
(01) REGULAR SALARIES	\$403,434
(02) PERSONAL SERVICES MATCHING	114,122
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	67,417
(B) CONF. & TRAVEL	11,891
(C) PROF. FEES	7,755
(D) CAP. OUTLAY	7,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$611,619</u></u>

SECTION 11. REGULAR SALARIES - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby established for the Office of Attorney General - Medicaid Fraud Division - Federal for the 2013-2014 fiscal year, the following maximum number of regular employees.

Maximum Annual Salary Rate

Item	Class	No. of	Fiscal Year
No.	Code Title	Employees	2013-2014
(1)	Q131U MEDICAID DIRECTOR	1	\$103,815
(2)	Q064U ATTORNEY GENERAL IV	1	\$98,071
(3)	Q063U ATTORNEY GENERAL V	1	\$88,944
(4)	Q008U CHIEF INVESTIGATOR	1	\$83,625
(5)	Q074U INVESTIGATOR I	2	\$69,547
(6)	Q130U INVESTIGATOR III	5	\$63,428
(7)	Q003U NURSE ANALYST	2	\$63,428
(8)	Q046U ANALYST	1	\$55,018
(9)	Q025U PARALEGAL I	1	\$47,297
(10)	Q056U SECRETARY II	1	\$46,839
(11)	Q069U CASE COORDINATOR	<u>1</u>	\$44,083
	MAX. NO. OF EMPLOYEES	17	

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16 SECTION 12. EXTRA HELP - MEDICAID FRAUD DIVISION - FEDERAL. There is
 17 hereby authorized, for the Office of Attorney General - Medicaid Fraud
 18 Division - Federal for the 2013-2014 fiscal year, the following maximum
 19 number of part-time or temporary employees, to be known as "Extra Help",
 20 payable from funds appropriated herein for such purposes: two (2) temporary
 21 or part-time employees, when needed, at rates of pay not to exceed those
 22 provided in the Uniform Classification and Compensation Act, or its
 23 successor, or this act for the appropriate classification.

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25 SECTION 13. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There
 26 is hereby appropriated, to the Office of Attorney General, to be payable from
 27 the federal funds as designated by the Chief Fiscal Officer of the State, for
 28 personal services and operating expenses of the Office of Attorney General -
 29 Medicaid Fraud Division - Federal for the fiscal year ending June 30, 2014,
 30 the following:

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ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULAR SALARIES	\$1,161,869
(02) EXTRA HELP	29,870
(03) PERSONAL SERVICES MATCHING	343,834

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1	(04) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	202,286
3	(B) CONF. & TRAVEL	37,206
4	(C) PROF. FEES	24,856
5	(D) CAP. OUTLAY	27,583
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,827,504</u></u>

9 SECTION 14. APPROPRIATION - MEDICAID FRAUD DIVISION - INDIRECT COSTS.

10 There is hereby appropriated, to the Office of Attorney General, to be
 11 payable from the federal funds as designated by the Chief Fiscal Officer of
 12 the State, for operating expenses of the Office of Attorney General -
 13 Medicaid Fraud Division - Indirect Costs for the fiscal year ending June 30,
 14 2014, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2013-2014</u>
18	(01) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	\$298,700
20	(B) CONF. & TRAVEL	0
21	(C) PROF. FEES	0
22	(D) CAP. OUTLAY	0
23	(E) DATA PROC.	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	<u><u>\$298,700</u></u>

26 SECTION 15. APPROPRIATION - SPYWARE MONITORING. There is hereby
 27 appropriated, to the Office of Attorney General, to be payable from the
 28 Spyware Monitoring Fund, for administrative expenses and other associated
 29 expenses for the enforcement activities and monitoring of spyware by the
 30 Office of Attorney General - Spyware Monitoring for the fiscal year ending
 31 June 30, 2014, the following:

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2013-2014</u>
35	(01) SPYWARE MONITORING	<u><u>\$65,990</u></u>

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SECTION 16. APPROPRIATION - INTERNET CRIME CHILD. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Office of Attorney General - Internet Crime Child for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$45,450
(B) CONF. & TRAVEL	0
(C) PROF. FEES	4,550
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$50,000</u></u>

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ATTORNEY FEES. 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.

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council, the Office of Attorney General is authorized to transfer appropriation from any line item authorized in Section 3 Appropriation - Operations of the Office of Attorney General in this Act to any other line item authorized in Section 3.

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. QUARTERLY

1 REPORTS. The Office of Attorney General shall on a quarterly basis provide to
 2 the Arkansas Legislative Council or Joint Budget Committee a report of all
 3 cash funds received from court orders or settlement agreements. The report
 4 shall include:

5 a) The case name of the court order or settlement agreement.

6 b) The amount of funds received by the Office of Attorney General for each
 7 court order or settlement agreement.

8 c) A plan for disbursement of the funds. If cash funds received from a court
 9 order or settlement agreement are expended for any purpose, including
 10 consumer education and enforcement activities, the report must itemize
 11 specific activities subject to the exclusions provided in Ark. Code Ann. 4-
 12 88-111 and 25-1-403(1)(B). The report shall also itemize the specific
 13 consumer education and enforcement activities funded for the Office of
 14 Attorney General.

15 d) If funds received from court order or settlement agreement are given to a
 16 specific entity by the Office of Attorney General the report must include:

17 1) If the court order or settlement agreement directed monies to
 18 be given to a specific entity and;

19 2) If the court order or settlement agreement directs funds to a
 20 specific entity, the Office of the Attorney General shall provide a summary
 21 of input regarding the drafting of the court order or settlement agreement.

22 e) If the Office of Attorney General receives funds from a court order or
 23 settlement agreement that does not require disbursement of funds to a
 24 specific entity, the Office of Attorney General shall report a rationale for
 25 disbursing funds to a specific entity.

26 f) A report of current balances of all unappropriated cash fund holdings
 27 received by court order or settlement agreement by the Office of Attorney
 28 General.

29 g) The quarterly reports shall be provided no later than the 15th day of the
 30 month immediately following the end of each quarter.

31 The provisions of this section shall be in effect only from July 1, ~~2012~~
 32 2013 through June 30, ~~2013~~ 2014.

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 34 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEES.
 36 The Office of the Attorney General is hereby authorized to charge fees to

1 other governmental units in order to reimburse the Office of the Attorney
2 General for expenditures made on behalf of the other governmental units.
3 Such fees are to be deposited into the State Central Services Fund in the
4 State Treasury as a refund to expenditures.

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6 SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
7 authorized by this act shall be limited to the appropriation for such agency
8 and funds made available by law for the support of such appropriations; and
9 the restrictions of the State Procurement Law, the General Accounting and
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
11 Procedures and Restrictions Act, or their successors, and other fiscal
12 control laws of this State, where applicable, and regulations promulgated by
13 the Department of Finance and Administration, as authorized by law, shall be
14 strictly complied with in disbursement of said funds.

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

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25 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the
26 General Assembly, that the Constitution of the State of Arkansas prohibits
27 the appropriation of funds for more than a one (1) year period; that the
28 effectiveness of this Act on July 1, 2013 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the legislative session, the delay in the
31 effective date of this Act beyond July 1, 2013 could work irreparable harm
32 upon the proper administration and provision of essential governmental
33 programs. Therefore, an emergency is hereby declared to exist and this Act
34 being necessary for the immediate preservation of the public peace, health
35 and safety shall be in full force and effect from and after July 1, 2013.

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