

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas As Engrossed: H2/26/19 H3/26/19

2 92nd General Assembly

A Bill

3 Regular Session, 2019

HOUSE BILL 1120

4

5 By: Joint Budget Committee

6

7

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, 2020; AND

11

FOR OTHER PURPOSES.

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13

14

Subtitle

15

AN ACT FOR THE OFFICE OF ATTORNEY GENERAL

16

APPROPRIATION FOR THE 2019-2020 FISCAL

17

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 2019-2020 fiscal year, the

24 following maximum number of regular employees.

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Maximum Annual

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Maximum

Salary Rate

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Item Class

No. of

Fiscal Year

29

No. Code Title

Employees

2019-2020

30

(1) Q242U SOLICITOR GENERAL

1

\$167,000

31

(2) Q066U ATTORNEY GENERAL I

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\$167,000

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(3) Q065U ATTORNEY GENERAL II

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\$157,100

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(4) Q124U ATTORNEY GENERAL III

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\$125,986

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(5) Q064U ATTORNEY GENERAL IV

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\$112,900

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(6) Q067U NETWORK ADMINISTRATOR

1

\$103,970

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(7) Q102U CHIEF FISCAL OFFICER

1

\$101,175



1	(8)	Q063U ATTORNEY GENERAL V	11	\$101,175
2	(9)	Q061U ATTORNEY GENERAL VI	19	\$90,670
3	(10)	Q009U COMMUNITY RELATIONS DIRECTOR	1	\$90,670
4	(11)	Q008U CHIEF INVESTIGATOR	1	\$90,670
5	(12)	Q075U FISCAL SPECIALIST I	1	\$81,257
6	(13)	Q074U INVESTIGATOR I	1	\$81,257
7	(14)	Q072U COMMUNICATIONS OFFICER	1	\$81,257
8	(15)	Q062U PUBLIC INFORMATION OFFICER	1	\$81,257
9	(16)	Q059U OMBUDSMAN	1	\$81,257
10	(17)	Q033U LOGISTICS DIRECTOR	1	\$81,257
11	(18)	Q023U NETWORK SPECIALIST I	1	\$75,054
12	(19)	Q101U HUMAN RESOURCES DIRECTOR	1	\$72,822
13	(20)	Q073U EXECUTIVE ASSISTANT	1	\$72,822
14	(21)	Q070U INVESTIGATOR II	2	\$72,822
15	(22)	Q052U LAW ED ADMINISTRATOR	1	\$72,822
16	(23)	Q034U ADMINISTRATIVE ASSISTANT I	1	\$72,822
17	(24)	Q002U LEGAL ASSISTANT	1	\$72,822
18	(25)	Q037U NETWORK SPECIALIST II	1	\$67,267
19	(26)	Q035U LIBRARIAN	1	\$67,267
20	(27)	Q058U EXECUTIVE SECRETARY	1	\$65,265
21	(28)	Q025U PARALEGAL I	2	\$65,265
22	(29)	Q006U LAW ED INSTRUCTOR I	2	\$65,265
23	(30)	Q004U ASST LOGISTICS DIRECTOR	1	\$65,265
24	(31)	Q071U ADMINISTRATIVE ASSISTANT II	3	\$58,493
25	(32)	Q057U INVESTIGATOR IV	13	\$58,493
26	(33)	Q053U SECRETARY I	7	\$58,493
27	(34)	Q032U LAW ED INSTRUCTOR II	1	\$58,493
28	(35)	Q007U FISCAL SPECIALIST II	2	\$58,493
29	(36)	Q056U SECRETARY II	14	\$52,425
30	(37)	Q047U CONSUMER COUNSELOR	4	\$52,425
31	(38)	Q036U RECEPTIONIST	2	\$46,987
32	(39)	Q005U COURIER	1	\$46,987
33	(40)	Q132U COURIER II	<u>1</u>	\$42,117
34		MAX. NO. OF EMPLOYEES	142	

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36 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for

1 the Office of Attorney General for the 2019-2020 fiscal year, the following
 2 maximum number of part-time or temporary employees, to be known as "Extra
 3 Help", payable from funds appropriated herein for such purposes: eight (8)
 4 temporary or part-time employees, when needed, at rates of pay not to exceed
 5 those provided in the Uniform Classification and Compensation Act, or its
 6 successor, or this act for the appropriate classification.

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 8 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 9 to the Office of Attorney General, to be payable from the State Central
 10 Services Fund, for personal services and operating expenses of the Office of
 11 Attorney General for the fiscal year ending June 30, 2020, the following:

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2019-2020</u>
15 (01) REGULAR SALARIES	\$10,651,174
16 (02) EXTRA HELP	37,224
17 (03) PERSONAL SERVICES MATCHING	3,310,054
18 (04) MAINT. & GEN. OPERATION	
19 (A) OPER. EXPENSE	2,100,000
20 (B) CONF. & TRAVEL	126,578
21 (C) PROF. FEES	644,215
22 (D) CAP. OUTLAY	140,000
23 (E) DATA PROC.	<u>0</u>
24 TOTAL AMOUNT APPROPRIATED	<u>\$17,009,245</u>

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 26 SECTION 4. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM. There
 27 is hereby established for the Office of Attorney General - Crime Victims
 28 Reparations Program for the 2019-2020 fiscal year, the following maximum
 29 number of regular employees.

31	32	33	34	Maximum Annual
Item	Class	No. of	Fiscal Year	Salary Rate
<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>Employees</u>	<u>2019-2020</u>
35 (1)	Q038U	CRIME VICTIM ADMINISTRATOR	1	\$72,822
36 (2)	Q057U	INVESTIGATOR IV	7	\$58,493

1	(3) Q007U FISCAL SPECIALIST II	<u>1</u>	\$58,493
2	MAX. NO. OF EMPLOYEES	9	

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4 SECTION 5. EXTRA HELP - CRIME VICTIMS REPARATIONS PROGRAM. There is

5 hereby authorized, for the Office of Attorney General - Crime Victims

6 Reparations Program for the 2019-2020 fiscal year, the following maximum

7 number of part-time or temporary employees, to be known as "Extra Help",

8 payable from funds appropriated herein for such purposes: two (2) temporary

9 or part-time employees, when needed, at rates of pay not to exceed those

10 provided in the Uniform Classification and Compensation Act, or its

11 successor, or this act for the appropriate classification.

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13 SECTION 6. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM. There is

14 hereby appropriated, to the Office of Attorney General, to be payable from

15 the Crime Victims Reparations Revolving Fund, for personal services,

16 operating expenses and payment of claims by the Office of Attorney General -

17 Crime Victims Reparations Program for the fiscal year ending June 30, 2020,

18 the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2019-2020</u>
22	(01) REGULAR SALARIES	\$332,840
23	(02) EXTRA HELP	0
24	(03) PERSONAL SERVICES MATCHING	93,950
25	(04) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	36,616
27	(B) CONF. & TRAVEL	1,081
28	(C) PROF. FEES	1,616
29	(D) CAP. OUTLAY	0
30	(E) DATA PROC.	0
31	(05) CLAIMS	<u>1,500,000</u>
32	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,966,103</u></u>

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34 SECTION 7. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM -

35 FEDERAL. There is hereby established for the Office of Attorney General -

36 Crime Victims Reparations - Federal for the 2019-2020 fiscal year, the

1 following maximum number of regular employees.

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Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1)	Q054U ADMINISTRATIVE ASSISTANT III	<u>1</u>	\$33,883
	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 payment of claims by the Office of Attorney General - Crime Victims Reparations Program - Federal for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$25,412
(02) PERSONAL SERVICES MATCHING	9,650
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	5,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) CLAIMS	<u>1,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,040,062</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 2019-2020 fiscal year, the following maximum number of regular employees.

	Maximum Annual Salary Rate
Maximum	

Item Class	No. of	Fiscal Year
No. Code Title	Employees	2019-2020
(1) Q065U ATTORNEY GENERAL II	1	\$157,100
(2) Q063U ATTORNEY GENERAL V	2	\$101,175
(3) Q024U AUDITOR	1	\$90,670
(4) Q056U SECRETARY II	<u>1</u>	\$52,425
MAX. NO. OF EMPLOYEES	5	

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9 SECTION 10. APPROPRIATION - MEDICAID FRAUD DIVISION - STATE. There is
 10 hereby appropriated, to the Office of Attorney General, to be payable from
 11 the State Central Services Fund, for personal services and operating expenses
 12 of the Office of Attorney General - Medicaid Fraud Division - State for the
 13 fiscal year ending June 30, 2020, the following:

14

ITEM	FISCAL YEAR
NO.	2019-2020
(01) REGULAR SALARIES	\$481,274
(02) PERSONAL SERVICES MATCHING	133,711
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	11,667
(B) CONF. & TRAVEL	21,667
(C) PROF. FEES	16,667
(D) CAP. OUTLAY	10,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$674,986</u>

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27 SECTION 11. REGULAR SALARIES - MEDICAID FRAUD DIVISION - FEDERAL.
 28 There is hereby established for the Office of Attorney General - Medicaid
 29 Fraud Division - Federal for the 2019-2020 fiscal year, the following maximum
 30 number of regular employees.

31

Item Class	Maximum	Maximum Annual
No. Code Title	Employees	Salary Rate
No. Code Title	Employees	Fiscal Year
No. Code Title	Employees	2019-2020
(1) Q131U MEDICAID DIRECTOR	1	\$125,986

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1	(2) Q064U ATTORNEY GENERAL IV	1	\$112,900
2	(3) Q063U ATTORNEY GENERAL V	1	\$101,175
3	(4) Q008U CHIEF INVESTIGATOR	1	\$90,670
4	(5) Q003U NURSE ANALYST	2	\$88,058
5	(6) Q074U INVESTIGATOR I	2	\$81,257
6	(7) Q130U INVESTIGATOR III	5	\$65,265
7	(8) Q046U ANALYST	1	\$65,265
8	(9) Q025U PARALEGAL I	1	\$65,265
9	(10) Q069U CASE COORDINATOR	1	\$52,425
10	(11) Q056U SECRETARY II	<u>1</u>	\$52,425
11	MAX. NO. OF EMPLOYEES	17	

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13 SECTION 12. EXTRA HELP - MEDICAID FRAUD DIVISION - FEDERAL. There is
 14 hereby authorized, for the Office of Attorney General - Medicaid Fraud
 15 Division - Federal for the 2019-2020 fiscal year, the following maximum
 16 number of part-time or temporary employees, to be known as "Extra Help",
 17 payable from funds appropriated herein for such purposes: two (2) temporary
 18 or part-time employees, when needed, at rates of pay not to exceed those
 19 provided in the Uniform Classification and Compensation Act, or its
 20 successor, or this act for the appropriate classification.

21

22 SECTION 13. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There
 23 is hereby appropriated, to the Office of Attorney General, to be payable from
 24 the federal funds as designated by the Chief Fiscal Officer of the State, for
 25 personal services and operating expenses of the Office of Attorney General -
 26 Medicaid Fraud Division - Federal for the fiscal year ending June 30, 2020,
 27 the following:

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29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2019-2020</u>
31	(01) REGULAR SALARIES	\$1,275,330
32	(02) EXTRA HELP	28,453
33	(03) PERSONAL SERVICES MATCHING	378,420
34	(04) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	35,000
36	(B) CONF. & TRAVEL	65,000

1	(C) PROF. FEES	50,000
2	(D) CAP. OUTLAY	30,000
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,862,203</u></u>

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

7 There is hereby appropriated, to the Office of Attorney General, to be
 8 payable from the federal funds as designated by the Chief Fiscal Officer of
 9 the State, for operating expenses of the Office of Attorney General -
 10 Medicaid Fraud Division - Indirect Costs for the fiscal year ending June 30,
 11 2020, the following:

12

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2019-2020</u>

15 (01) MAINT. & GEN. OPERATION

16	(A) OPER. EXPENSE	\$330,000
17	(B) CONF. & TRAVEL	0
18	(C) PROF. FEES	0
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u><u>\$330,000</u></u>

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23 SECTION 15. APPROPRIATION - INTERNET CRIME CHILD. There is hereby
 24 appropriated, to the Office of Attorney General, to be payable from the
 25 federal funds as designated by the Chief Fiscal Officer of the State, for
 26 operating expenses of the Office of Attorney General - Internet Crime Child
 27 for the fiscal year ending June 30, 2020, the following:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2019-2020</u>

31 (01) MAINT. & GEN. OPERATION

32	(A) OPER. EXPENSE	\$25,000
33	(B) CONF. & TRAVEL	0
34	(C) PROF. FEES	0
35	(D) CAP. OUTLAY	0
36	(E) DATA PROC.	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$25,000

2

3 SECTION 16. REGULAR SALARIES - COOPERATIVE DISABILITY INVESTIGATION
 4 PROGRAM. There is hereby established for the Office of Attorney General -
 5 Cooperative Disability Investigation Program for the 2019-2020 fiscal year,
 6 the following maximum number of regular employees.

7

			Maximum Annual
			Salary Rate
			Fiscal Year
Item	Class	Maximum	
No.	Code Title	No. of	2019-2020
			Employees
12	(1) Q074U INVESTIGATOR I	2	\$81,257
13	(2) Q046U ANALYST	<u>1</u>	\$65,265
14	MAX. NO. OF EMPLOYEES	3	

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16 SECTION 17. APPROPRIATION - COOPERATIVE DISABILITY INVESTIGATION
 17 PROGRAM. There is hereby appropriated, to the Office of Attorney General, to
 18 be payable from the federal funds as designated by the Chief Fiscal Officer
 19 of the State, for personal services and operating expenses of the Office of
 20 Attorney General - Cooperative Disability Investigation Program for the
 21 fiscal year ending June 30, 2020, the following:

22

ITEM	FISCAL YEAR
NO.	2019-2020
25 (01) REGULAR SALARIES	\$196,052
26 (02) PERSONAL SERVICES MATCHING	60,408
27 (03) OVERTIME	42,000
28 (04) MAINT. & GEN. OPERATION	
29 (A) OPER. EXPENSE	31,000
30 (B) CONF. & TRAVEL	0
31 (C) PROF. FEES	0
32 (D) CAP. OUTLAY	0
33 (E) DATA PROC.	<u>0</u>
34 TOTAL AMOUNT APPROPRIATED	<u>\$329,460</u>

35

36 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ATTORNEY
2 FEES. The disbursing officer of the appropriations provided for herein,
3 shall deposit all monies received by the Office of Attorney General as
4 attorney fees in the State Central Services Fund as direct revenues.

5 The provisions of this section shall be in effect only from July 1, ~~2018~~
6 2019 through June 30, ~~2019~~ 2020.

7

8 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
10 PROVISION. After receiving approval from the Chief Fiscal Officer of the
11 State, and prior review by the Arkansas Legislative Council or Joint Budget
12 Committee, the Office of Attorney General is authorized to transfer
13 appropriation from any line item authorized in the Operations Appropriation
14 of the Office of Attorney General in this Act to any other line item
15 authorized in the Operations Appropriation.

16 The provisions of this section shall be in effect only from July 1, ~~2018~~
17 2019 through June 30, ~~2019~~ 2020.

18

19 SECTION 20. *Arkansas Code Title 25, Chapter 16, Subchapter 4, is*
20 *amended to add an additional section to read as follows:*

21 25-16-716. Fee reimbursement.

22 (a) The Office of the Attorney General may charge a fee to a
23 governmental unit to reimburse the office for an expenditure made on behalf
24 of a governmental unit.

25 (b) A fee under subsection (a) of this section shall be deposited by
26 the office into the State Central Services Fund as a refund to an
27 expenditure.

28

29 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
31 TRANSFER. Immediately upon the effective date of this act, the Attorney
32 General shall deposit or transfer by check up to the sum of two million
33 dollars (\$2,000,000) from the unobligated cash funds of the Office of
34 Attorney General received from court orders or settlement agreements to the
35 State Central Services Fund.

36 The provisions of this section shall be in effect only from July 1, ~~2018~~

1 2019 through June 30, ~~2019~~ 2020.

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3 SECTION 22. SPECIAL LANGUAGE. CODE AMENDMENT. Arkansas Code Title
4 20, Chapter 77, Subchapter 9, is amended to add an additional section to read
5 as follows:

6 20-77-912. Funds for investigations and prosecutions.

7 (a) Under this subchapter and the Medicaid Fraud Act, § 5-55-101 et
8 seq., the Attorney General or a prosecuting attorney is entitled to recover
9 reasonable and necessary expenses incurred during its investigations and
10 prosecutions.

11 (b) The Attorney General shall create and maintain accounts for these
12 funds.

13 (c) The federal share of these funds shall be returned to the United
14 States Government in accordance with the federal regulations governing the
15 Medicaid Fraud Control Unit.

16 (d) The remaining funds shall be retained and expended by the Attorney
17 General to defer the cost of future investigations and prosecutions conducted
18 by the Medicaid Fraud Control Unit.

19

20 SECTION 23. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
21 authorized by this act shall be limited to the appropriation for such agency
22 and funds made available by law for the support of such appropriations; and
23 the restrictions of the State Procurement Law, the General Accounting and
24 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
25 Procedures and Restrictions Act, or their successors, and other fiscal
26 control laws of this State, where applicable, and regulations promulgated by
27 the Department of Finance and Administration, as authorized by law, shall be
28 strictly complied with in disbursement of said funds.

29

30 SECTION 24. LEGISLATIVE INTENT. It is the intent of the General
31 Assembly that any funds disbursed under the authority of the appropriations
32 contained in this act shall be in compliance with the stated reasons for
33 which this act was adopted, as evidenced by the Agency Requests, Executive
34 Recommendations and Legislative Recommendations contained in the budget
35 manuals prepared by the Department of Finance and Administration, letters, or
36 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 25. EMERGENCY CLAUSE. It is found and determined by the
4 General Assembly, that the Constitution of the State of Arkansas prohibits
5 the appropriation of funds for more than a one (1) year period; that the
6 effectiveness of this Act on July 1, 2019 is essential to the operation of
7 the agency for which the appropriations in this Act are provided, and that in
8 the event of an extension of the legislative session, the delay in the
9 effective date of this Act beyond July 1, 2019 could work irreparable harm
10 upon the proper administration and provision of essential governmental
11 programs. Therefore, an emergency is hereby declared to exist and this Act
12 being necessary for the immediate preservation of the public peace, health
13 and safety shall be in full force and effect from and after July 1, 2019.

14
15 */s/ Joint Budget Committee*
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