

**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  
4

# A Bill

**Act 734 of 2001**  
HOUSE BILL 1982

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 OFFICE OF ATTORNEY  
11 GENERAL FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003;  
12 AND FOR OTHER PURPOSES.  
13

## **Subtitle**

14  
15 AN ACT FOR THE OFFICE OF ATTORNEY  
16 GENERAL - BIENNIAL OPERATIONS  
17 APPROPRIATION FOR THE 2001-2003  
18 BIENNIAL PERIOD.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for  
25 the Office of Attorney General for the 2001-2003 biennium, the following  
26 maximum number of regular employees whose salaries shall be governed by the  
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
29 Provided, however, that any position to which a specific maximum annual  
30 salary is set out herein in dollars, shall be exempt from the provisions of  
31 said Uniform Classification and Compensation Act. All persons occupying  
32 positions authorized herein are hereby governed by the provisions of the  
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
34 or its successor.  
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Maximum Annual

1			Maximum	Salary Rate	
2	Item	Class	No. of	Fiscal Years	
3	No.	Code Title	Empl oyees	2001-2002	2002-2003
4	(1)	ATTORNEY GENERAL I	2	\$81,390	\$83,506
5	(2)	ATTORNEY GENERAL II	7	\$78,720	\$80,767
6	(3)	ATTORNEY GENERAL III	4	\$73,753	\$75,671
7	(4)	ATTORNEY GENERAL IV	3	\$67,132	\$68,877
8	(5)	ATTORNEY GENERAL V	10	\$63,689	\$65,345
9	(6)	NETWORK ADMINI STRATOR	1	\$61,514	\$63,113
10	(7)	ATTORNEY GENERAL VI	11	\$57,594	\$59,091
11	(8)	DI RECTOR OF OPERATI ONS	1	\$57,456	\$58,950
12	(9)	CHI EF FI NNCI AL MANAGER	1	\$54,734	\$56,157
13	(10)	ATTORNEY GENERAL VII	15	\$52,210	\$53,567
14	(11)	EXECUTI VE ASSI STANT	1	\$52,210	\$53,567
15	(12)	OMBUDSMAN	1	\$48,332	\$49,589
16	(13)	I NVESTI GATOR I	1	\$46,476	\$47,684
17	(14)	ADMI NI STRATI VE AI D	1	\$46,170	\$47,370
18	(15)	PUBLI C I NFORMATI ON OFFI CER	1	\$45,819	\$47,010
19	(16)	FI SCAL SPECI ALI ST	1	\$44,826	\$45,991
20	(17)	DI RECTOR OF PERSONNEL	1	\$43,092	\$44,212
21	(18)	I NVESTI GATOR II	1	\$42,961	\$44,078
22	(19)	ATTORNEY GENERAL VIII	6	\$41,314	\$42,388
23	(20)	PARALEGAL I	1	\$40,080	\$41,122
24	(21)	LAW ED DI RECTOR	1	\$40,000	\$41,040
25	(22)	ADMI NI STRATI VE ASSI STANT 1	2	\$38,000	\$38,988
26	(23)	I NVESTI GATOR III	1	\$36,915	\$37,875
27	(24)	PARALEGAL II	1	\$36,915	\$37,875
28	(25)	COMPUTER SERVI CES	1	\$36,914	\$37,874
29	(26)	EXECUTI VE SECRETARY	1	\$35,910	\$36,844
30	(27)	ADMI NI STRATI VE ASSI STANT II	1	\$35,000	\$35,910
31	(28)	LAW ED I NSTRUCTOR	4	\$35,000	\$35,910
32	(29)	LOGI STI C MANAGER	1	\$34,371	\$35,265
33	(30)	I NVESTI GATOR IV	4	\$34,291	\$35,183
34	(31)	SECRETARY I	5	\$34,000	\$34,884
35	(32)	SECRETARY II	5	\$32,000	\$32,832
36	(33)	PURCHASI NG AGENT	1	\$31,115	\$31,924

1	(34)	CONSUMER COUNSELOR	2	\$30,805	\$31,606
2	(35)	SECRETARY III	12	\$30,000	\$30,780
3	(36)	RECEPTIONIST I	1	\$28,899	\$29,650
4	(37)	LIBRARIAN	1	\$27,710	\$28,430
5	(38)	ADMINISTRATIVE ASSISTANT IV	1	\$21,095	\$21,643
6	(39)	RECEPTIONIST II	<u>1</u>	\$18,985	\$19,479
7		MAX. NO. OF EMPLOYEES	116		

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Office of Attorney General for the 2001-2003 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: ten (10) 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 3. APPROPRIATION - OPERATIONS. 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, 2003, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
(01) REGULAR SALARIES	\$ 5,501,764	\$ 5,644,810
(02) EXTRA HELP	19,336	19,336
(03) PERSONAL SERV MATCHING	1,319,678	1,345,011
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,254,450	1,269,494
(B) CONF. & TRAVEL	54,000	54,000
(C) PROF. FEES	171,000	171,000
(D) CAP. OUTLAY	196,000	196,000
(E) DATA PROC.	32,500	32,500
(05) REAPPORTIONMENT EXPENSES	<u>500,000</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 9,048,728</u>	<u>\$ 8,732,151</u>

SECTION 4. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM - SPECIAL.

1 There is hereby established for the Office of Attorney General - Crime  
 2 Victims Reparations Program for the 2001-2003 biennium, the following maximum  
 3 number of regular employees whose salaries shall be governed by the  
 4 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
 5 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
 6 Provided, however, that any position to which a specific maximum annual  
 7 salary is set out herein in dollars, shall be exempt from the provisions of  
 8 said Uniform Classification and Compensation Act. All persons occupying  
 9 positions authorized herein are hereby governed by the provisions of the  
 10 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
 11 or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
			No. of	Fiscal Years	
Item	Class	Title	Employees	2001-2002	2002-2003
17	(1)	ATTORNEY GENERAL VII	1	\$52,210	\$53,567
18	(2)	CRIME VICTIM ADMINISTRATOR	1	\$40,000	\$41,040
19	(3)	INVESTIGATOR IV	<u>6</u>	\$34,291	\$35,183
20	MAX. NO. OF EMPLOYEES		8		

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 22 SECTION 5. EXTRA HELP - CRIME VICTIMS REPARATIONS PROGRAM. There is  
 23 hereby authorized, for the Office of Attorney General - Crime Victims  
 24 Reparations Program for the 2001-2003 biennium, the following maximum number  
 25 of part-time or temporary employees, to be known as "Extra Help", payable  
 26 from funds appropriated herein for such purposes: two (2) temporary or part-  
 27 time employees, when needed, at rates of pay not to exceed those provided in  
 28 the Uniform Classification and Compensation Act, or its successor, or this  
 29 act for the appropriate classification.

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 31 SECTION 6. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM - SPECIAL.  
 32 There is hereby appropriated, to the Office of Attorney General, to be  
 33 payable from the Crime Victims Reparations Revolving Fund, for personal  
 34 services, operating expenses and payment of claims by the Office of Attorney  
 35 General - Crime Victims Reparations Program for the biennial period ending  
 36 June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 297,956	\$ 305,703
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERV MATCHING	77,251	78,623
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	46,970	43,970
(B) CONF. & TRAVEL	15,000	15,200
(C) PROF. FEES	48,000	23,000
(D) CAP. OUTLAY	22,000	10,000
(E) DATA PROC.	2,200	1,000
(05) CLAIMS	<u>2,504,082</u>	<u>2,539,394</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,023,459</u>	<u>\$ 3,026,890</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 2001-2003 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), 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 (Arkansas Code §21-5-101), or its successor.

Item Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
		2001-2002	2002-2003
(1) ADMINISTRATIVE ASSISTANT III	<u>1</u>	\$24,111	\$24,738
MAX. NO. OF EMPLOYEES	1		

SECTION 8. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM - FEDERAL.

1 There is hereby appropriated, to the Office of Attorney General, to be  
 2 payable from the federal funds as designated by the Chief Fiscal Officer of  
 3 the State, for personal services, operating expenses, and payment of claims  
 4 by the Office of Attorney General - Crime Victims Preparations Program -  
 5 Federal for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 24,111	\$ 24,738
(02) PERSONAL SERV MATCHING	7,234	7,345
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	25,300	25,300
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) CLAIMS	<u>1,098,949</u>	<u>1,098,096</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,155,594</u>	<u>\$ 1,155,479</u>

20 SECTION 9. REGULAR SALARIES - MEDICAID FRAUD DIVISION - FEDERAL. There is  
 21 hereby established for the Office of Attorney General - Medicaid Fraud  
 22 Division - Federal for the 2001-2003 biennium, the following maximum number  
 23 of regular employees whose salaries shall be governed by the provisions of  
 24 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
 25 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
 26 that any position to which a specific maximum annual salary is set out herein  
 27 in dollars, shall be exempt from the provisions of said Uniform  
 28 Classification and Compensation Act. All persons occupying positions  
 29 authorized herein are hereby governed by the provisions of the Regular  
 30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
 31 successor.

Item Class	No. of Employees	Maximum Annual Salary Rate	
		2001-2002	2002-2003
No. Code Title			

1	(1)	MEDI CAI D DI RECTOR	1	\$78,720	\$80,767
2	(2)	MEDI CAI D ASSI STANT DI RECTOR	1	\$67,132	\$68,877
3	(3)	ATTORNEY GENERAL I V	1	\$67,132	\$68,877
4	(4)	ATTORNEY GENERAL V	1	\$63,689	\$65,345
5	(5)	I NVESTI GATOR I	1	\$50,627	\$51,943
6	(6)	I NVESTI GATOR II	8	\$46,052	\$47,249
7	(7)	ANALYST	1	\$39,936	\$40,974
8	(8)	SECRETARY I	1	\$34,000	\$34,884
9	(9)	CASE COORDINATOR	1	\$32,000	\$32,832
10	(10)	SECRETARY II	<u>1</u>	\$32,000	\$32,832
11		MAX. NO. OF EMPLOYEES	17		

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13 SECTION 10. EXTRA HELP - MEDI CAI D FRAUD DI VI SI ON - FEDERAL. There is  
 14 hereby authorized, for the Office of Attorney General - Medi caid Fraud  
 15 Di vi si on - Federal for the 2001-2003 bienni um, the followi ng maximum number  
 16 of part-time or temporary employees, to be known as "Extra Help", payable  
 17 from funds appropriated herein for such purposes: one (1) temporary or part-  
 18 time employees, when needed, at rates of pay not to exceed those provided in  
 19 the Uni form Cl assi fi cation and Compensation Act, or its successor, or this  
 20 act for the appropriate cl assi fi cation.

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22 SECTION 11. APPROPRIATION - MEDI CAI D FRAUD DI VI SI ON - FEDERAL. There is  
 23 hereby appropriated, to the Office of Attorney General, to be payable from  
 24 the federal funds as designated by the Chief Fi scal Offi cer of the State, for  
 25 personal ser vi ces and operati ng expenses of the Office of Attorney General -  
 26 Medi caid Fraud Di vi si on - Federal for the bienni al period ending June 30,  
 27 2003, the followi ng:

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29	ITEM		FI SCAL YEARS	
30	<u>NO.</u>		<u>2001-2002</u>	<u>2002-2003</u>
31	(01) REGULAR SALARI ES	\$	833,652	\$ 855,327
32	(02) EXTRA HELP		25,000	25,000
33	(03) PERSONAL SERV MATCHI NG		199,028	203,795
34	(04) MAI NT. & GEN. OPERATION			
35	(A) OPER. EXPENSE		150,804	155,304
36	(B) CONF. & TRAVEL		31,275	31,275

1	(C) PROF. FEES	21,000	21,000
2	(D) CAP. OUTLAY	31,875	31,875
3	(E) DATA PROC.	<u>1,875</u>	<u>1,875</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,294,509</u>	<u>\$ 1,325,451</u>

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6 SECTION 12. REGULAR SALARIES - MEDICAID FRAUD DIVISION - STATE. There is

7 hereby established for the Office of Attorney General - Medicaid Fraud

8 Division - State for the 2001-2003 biennium, the following maximum number of

9 regular employees whose salaries shall be governed by the provisions of the

10 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et

11 seq.), or its successor, and all laws amendatory thereto. Provided, however,

12 that any position to which a specific maximum annual salary is set out herein

13 in dollars, shall be exempt from the provisions of said Uniform

14 Classification and Compensation Act. All persons occupying positions

15 authorized herein are hereby governed by the provisions of the Regular

16 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its

17 successor.

18				
19				Maximum Annual
20			Maximum	Salary Rate
21	Item Class		No. of	Fiscal Years
22	<u>No. Code Title</u>	<u>Employees</u>	<u>2001-2002</u>	<u>2002-2003</u>
23	(1) ATTORNEY GENERAL II	1	\$78,720	\$80,767
24	(2) ATTORNEY GENERAL VI	3	\$57,594	\$59,091
25	(3) SECRETARY III	<u>1</u>	\$30,000	\$30,780
26	MAX. NO. OF EMPLOYEES	5		

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28 SECTION 13. APPROPRIATION - MEDICAID FRAUD DIVISION - STATE. There is

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

30 the State Central Services Fund, for personal services and operating expenses

31 of the Office of Attorney General - Medicaid Fraud Division - State for the

32 biennial period ending June 30, 2003, the following:

33			
34	ITEM		FISCAL YEARS
35	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
36	(01) REGULAR SALARIES	\$ 281,502	\$ 288,821



1	(02) PERSONAL SERV MATCHING	64,674	65,971
2	(03) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	50,269	51,769
4	(B) CONF. & TRAVEL	10,425	10,425
5	(C) PROF. FEES	7,000	7,000
6	(D) CAP. OUTLAY	10,625	10,625
7	(E) DATA PROC.	<u>625</u>	<u>625</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 425,120</u>	<u>\$ 435,236</u>

9

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

11 There is hereby appropriated, to the Office of Attorney General, to be

12 payable from the federal funds as designated by the Chief Fiscal Officer of

13 the State, for operating expenses of the Office of Attorney General -

14 Medicaid Fraud Division - Indirect Costs for the biennial period ending June

15 30, 2003, the following:

17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
19	(01) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	175,000	175,000
21	(B) CONF. & TRAVEL	0	0
22	(C) PROF. FEES	90,000	90,000
23	(D) CAP. OUTLAY	25,000	25,000
24	(E) DATA PROC.	<u>0</u>	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 290,000</u>	<u>\$ 290,000</u>

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27 SECTION 15. APPROPRIATION - DO NOT CALL - SPECIAL. There is hereby

28 appropriated, to the Office of Attorney General, to be payable from direct

29 revenue credited to the State Central Services Fund as described by Arkansas

30 Code 4-99-404, for operating expenses of the Office of Attorney General - Do

31 Not Call Program for the biennial period ending June 30, 2003, the following:

33	ITEM	FISCAL YEARS	
34	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
35	(01) DO NOT CALL MISCELLANEOUS OPERATING		
36	EXPENSES	<u>\$ 190,000</u>	<u>\$ 194,000</u>

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SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF FUNDS. At the close of the fiscal year ending June 30, 2002, any unexpended appropriations and funds provided for in the Reapportionment Expenses item Section 3 of this Act shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 2003. The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.

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, 2001 through June 30, 2003.

SECTION 18. 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 provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.

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

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

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8 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
9 by this act shall be limited to the appropriation for such agency and funds  
10 made available by law for the support of such appropriations; and the  
11 restrictions of the State Purchasing Law, the General Accounting and  
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
13 Procedures and Restrictions Act, or their successors, and other fiscal  
14 control laws of this State, where applicable, and regulations promulgated by  
15 the Department of Finance and Administration, as authorized by law, shall be  
16 strictly complied with in disbursement of said funds.

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

26  
27 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the General  
28 Assembly, that the Constitution of the State of Arkansas prohibits the  
29 appropriation of funds for more than a two (2) year period; that the  
30 effectiveness of this Act on July 1, 2001 is essential to the operation of  
31 the agency for which the appropriations in this Act are provided, and that in  
32 the event of an extension of the Regular Session, the delay in the effective  
33 date of this Act beyond July 1, 2001 could work irreparable harm upon the  
34 proper administration and provision of essential governmental programs.  
35 Therefore, an emergency is hereby declared to exist and this Act being  
36 necessary for the immediate preservation of the public peace, health and

1 safety shall be in full force and effect from and after July 1, 2001.

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APPROVED: 3/12/2001