

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.

Act 1401 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/8/05

A Bill

HOUSE BILL 1424

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF INFORMATION SYSTEMS FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF
17 INFORMATION SYSTEMS APPROPRIATION FOR
18 THE 2005-2007 BIENNIUM.
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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. There is hereby established for the
25 Department of Information Systems for the 2005-2007 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	Maximum Annual	
				No. of	Salary Rate	
	Item	Class		Employees	Fiscal Years	
	No.	Code	Title		2005-2006	2006-2007
5	(1)	9805	DIS DIRECTOR	1	\$114,966	\$117,600
6	(2)	9804	DIS MIS DIVISION DIRECTOR	2	\$113,478	\$116,090
7	(3)	9430	DIS DEPUTY DIRECTOR	1	\$103,976	\$106,445
8	(4)	9441	DIS ENTERPRISE SERVICES ADMR	1	\$98,743	\$101,134
9	(5)	9440	DIS ENTERPRISE SYSTEMS MGMT ADMR	1	\$98,743	\$101,134
10	(6)	9414	DIS CHIEF TECHNICAL OFFICER	1	\$98,489	\$100,876
11	(7)	9443	DIS CUST RELATIONS MGMT ADMR	1	\$97,644	\$100,018
12	(8)	9428	DIS ENTERPRISE ARCHITECT ENGINEER	2	\$96,307	\$98,661
13	(9)	9426	DIS DBA LEAD	1	\$94,088	\$96,409
14	(10)	9418	DIS TECHNICAL SUPPORT MANAGER	1	\$92,133	\$94,425
15	(11)	8820	DIS DATA BASE SPECIALIST	3	\$92,133	\$94,425
16	(12)	9612	DIS SYS SFTWR PRGM/ANALYST SPEC	2	\$91,099	\$93,375
17	(13)	9439	DIS PROJECT & ENTERPRISE PROG MGMT	1	\$88,006	\$90,228
18	(14)	9445	DIS CHIEF FINANCIAL OFFICER	1	\$87,141	\$89,346
19	(15)	9424	DIS SENIOR WIRELESS ENGINEER	1	\$86,637	\$88,833
20	(16)	9033	DIS APPL DEV MANAGEMENT SPECIALIST	2	\$86,019	\$88,203
21	(17)	9438	DIS NETWORK COMPUTER OPERATIONS ADM	1	\$84,909	\$87,072
22	(18)	9425	DIS MAINFRAME LEAD	1	\$83,079	\$85,207
23	(19)	9442	DIS ENTERPRISE NETWORK SERVICES ADM	1	\$80,419	\$82,496
24	(20)	9446	DIS HR ADMINISTRATOR	1	\$78,834	\$80,881
25	(21)	9427	DIS SYSTEMS LEAD	4	\$76,975	\$78,987
26	(22)	9433	DIS GENERAL COUNSEL	1	\$76,465	\$78,467
27	(23)	948Z	DIS SENIOR PROJECT MANAGER	5		GRADE 26
28	(24)	950Z	DIS POLICY LEAD MANAGER	2		GRADE 26
29	(25)	951Z	DIS OPERATIONS CENTER MANAGER	1		GRADE 26
30	(26)	960Z	DIS STRATEGIC FUNDING PROG MGR	1		GRADE 26
31	(27)	D023	DIS APPL DEVELOPMENT SPEC	2		GRADE 26
32	(28)	D027	DIS TECH PLANNING SPEC I	2		GRADE 26
33	(29)	D037	DIS SYSTEMS PROGRAMMER/ANALYST III	5		GRADE 26
34	(30)	D145	DIS SYSTEMS SPECIALIST III	3		GRADE 26
35	(31)	D147	DIS SYSTEMS APPLICATION ARCHITECT	1		GRADE 26
36	(32)	D148	DIS TEAM LEAD	3		GRADE 26

1	(33)	D149	DIS SENIOR TECHNICAL ACCOUNT REP	1	GRADE 26
2	(34)	D152	DIS NETWORK ENGINEER	2	GRADE 25
3	(35)	D153	DIS NETWORK SERVICES LEAD	4	GRADE 25
4	(36)	D154	DIS POLICY LEAD	5	GRADE 25
5	(37)	D155	DIS SUPPORT TEAM LEAD	2	GRADE 25
6	(38)	D156	DIS BUSINESS CONTINUITY PROGRAM LEA	1	GRADE 25
7	(39)	D008	DIS DATA BASE ANALYST II	1	GRADE 25
8	(40)	D054	DIS PROG ANA/STAFF SPECIALIST II	10	GRADE 25
9	(41)	955Z	DIS BILLING SERVICES MANAGER	1	GRADE 25
10	(42)	957Z	DIS PROJECT MANAGER	3	GRADE 24
11	(43)	297Z	GENERAL BUSINESS MANAGER	1	GRADE 24
12	(44)	804Z	DIS FISCAL MANAGER	1	GRADE 24
13	(45)	D087	DIS TELECOMMUNICATIONS SVCS MGR	1	GRADE 24
14	(46)	D142	SECURITY ANALYST II	5	GRADE 24
15	(47)	D028	DIS PROGRAMMER ANALYST/STAFF SPEC	3	GRADE 24
16	(48)	D163	DIS BUSINESS CONTINUITY ANALYST	1	GRADE 24
17	(49)	D164	DIS QUALITY ANALYST	2	GRADE 24
18	(50)	D165	DIS PROCUREMENT SPECIALIST	2	GRADE 24
19	(51)	D158	DIS SYSTEMS SPECIALIST II	13	GRADE 24
20	(52)	D159	DIS NETWORK SPECIALIST II	5	GRADE 24
21	(53)	D160	DIS TECHNICAL ACCOUNT REP	3	GRADE 24
22	(54)	D186	DIS SUPPORT SPECIALIST II	3	GRADE 23
23	(55)	D167	DIS RATE RECOVERY ANALYST	1	GRADE 23
24	(56)	D168	DIS COMPUTER OPERATIONS TEAM LEAD	1	GRADE 23
25	(57)	D169	DIS PRODUCTION CHANGE SCHEDULER	1	GRADE 23
26	(58)	D045	DIS LEAD PROGRAMMER/ANALYST	23	GRADE 23
27	(59)	C004	DIS COMMUNICATIONS MANAGER	1	GRADE 23
28	(60)	D029	DIS SENIOR PROGRAMMER/ANALYST	2	GRADE 22
29	(61)	D143	SECURITY ANALYST I	4	GRADE 22
30	(62)	D115	INFORMATION SYSTEMS PLANNER	1	GRADE 22
31	(63)	D171	DIS CUSTOMER RELATIONS SPECIALIST	1	GRADE 22
32	(64)	D172	DIS SYSTEMS SPECIALIST I	9	GRADE 22
33	(65)	D173	DIS NETWORK SPECIALIST I	12	GRADE 22
34	(66)	D174	DIS SUPPORT SPECIALIST I	19	GRADE 22
35	(67)	D175	DIS WEB GRAPHICS SPECIALIST	2	GRADE 22
36	(68)	D176	DIS LEAD CALL CENTER AGENT	1	GRADE 21

1	(69)	D177	DIS LEAD COMPUTER OPERATOR	3	GRADE 21
2	(70)	D178	DIS SCHEDULER II	2	GRADE 21
3	(71)	V012	PURCHASING MANAGER	1	GRADE 21
4	(72)	R266	MANAGEMENT PROJECT ANALYST II	3	GRADE 20
5	(73)	D179	DIS ACCOUNTS SPECIALIST	2	GRADE 20
6	(74)	D019	DIS DATA COMMUNICATIONS TECH II	1	GRADE 20
7	(75)	D180	DIS CALL CENTER AGENT	3	GRADE 19
8	(76)	D181	DIS SCHEDULER I	1	GRADE 19
9	(77)	A110	ACCOUNTANT II	2	GRADE 19
10	(78)	A111	ACCOUNTANT	2	GRADE 18
11	(79)	D182	DIS SENIOR COMPUTER OPERATOR	9	GRADE 18
12	(80)	D183	DIS IT BILLING SPECIALIST	1	GRADE 18
13	(81)	D084	DIS TELECOMMUNICATION TECH III	1	GRADE 18
14	(82)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
15	(83)	R010	ADMINISTRATIVE ASSISTANT II	2	GRADE 17
16	(84)	D161	DIS SYSTEM TECHNICIAN	2	GRADE 16
17	(85)	D101	DIS TELECOMMUNICATIONS TECH II	2	GRADE 16
18	(86)	D184	DIS COMPUTER OPERATOR	3	GRADE 16
19	(87)	D089	DIS TELECOMMUNICATIONS TECH I	1	GRADE 14
20	(88)	D185	DIS CALL CENTER OPERATOR	2	GRADE 13
21	(89)	K153	SECRETARY II	<u>2</u>	GRADE 13
22			MAX. NO. OF EMPLOYEES	251	

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24 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 25 Information Systems for the 2005-2007 biennium, the following maximum number
 26 of part-time or temporary employees, to be known as "Extra Help", payable
 27 from funds appropriated herein for such purposes: eighteen (18) temporary or
 28 part-time employees, when needed, at rates of pay not to exceed those
 29 provided in the Uniform Classification and Compensation Act, or its
 30 successor, or this act for the appropriate classification.

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32 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 33 the Department of Information Systems, to be payable from the Department of
 34 Information Systems Revolving Fund, for personal services and operating
 35 expenses of the Department of Information Systems for the biennial period
 36 ending June 30, 2007, the following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 14,079,424	\$ 14,465,193
(02) EXTRA HELP	164,000	164,000
(03) PERSONAL SERVICES MATCHING	4,037,736	4,120,416
(04) OVERTIME	66,000	66,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	10,519,905	10,519,905
(B) CONF. & TRAVEL	443,800	443,800
(C) PROF. FEES	631,500	631,500
(D) CAP. OUTLAY	14,000	14,000
(E) DATA PROC.	11,906,866	11,906,866
(06) TELECOMMUNICATIONS/TECHNOLOGY DELIVERY	<u>31,450,929</u>	<u>31,450,929</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 73,314,160</u>	<u>\$ 73,782,609</u>

17 SECTION 4. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby
18 appropriated, to the Department of Information Systems, to be payable from
19 the Department of Information Systems Revolving Fund, for operating expenses
20 incurred in the provision of unanticipated services to state agencies,
21 unusual growth in applications or due to uncontrollable increases in payments
22 to public utilities necessary for the continual provision of services by the
23 Department of Information Systems for the biennial period ending June 30,
24 2007, the following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) CONTINGENCY	<u>\$ 15,000,000</u>	<u>\$ 15,000,000</u>

30 SECTION 5. APPROPRIATION - EQUIPMENT ACQUISITIONS AND INFORMATION
31 TECHNOLOGY IMPROVEMENTS. There is hereby appropriated, to the Department of
32 Information Systems, to be payable from the Information Technology Reserve
33 Fund, for major equipment acquisitions and information technology
34 improvements, as set out in Arkansas Code 25-4-122 and 25-4-123, by the
35 Department of Information Systems for the biennial period ending June 30,
36 2007, the following:

1 2 3	ITEM	FISCAL YEARS	
		2005-2006	2006-2007
4	(01) EQUIPMENT ACQUISITIONS AND		
5	INFORMATION TECHNOLOGY IMPROVEMENTS	\$ 3,500,000	\$ 3,500,000

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7 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
9 FORWARD. At the close of the fiscal year ending June 30, ~~2004~~ 2006, the
10 Department of Information Systems may certify to the Chief Fiscal Officer of
11 the State an unexpended amount of appropriation, as provided for in
12 Telecommunications/ Technology Delivery ~~(not to exceed \$27,950,929) as a part~~
13 ~~of the Connectivity and Communications Services Program in this Act~~ in
14 Section 3 of this Act, which may be transferred forward for the fiscal year
15 ending June 30, ~~2005~~ 2007, for the sole purpose of providing payments for the
16 telecommunications system.

17 The provisions of this section shall be in effect only from July 1, ~~2003~~
18 2005 through June 30, ~~2005~~ 2007.

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20 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
22 FORWARD PROVISION. The balance of the appropriation made ~~for Unanticipated~~
23 ~~Services~~ in Section 4 and Section 5 herein which remains at the close of the
24 fiscal year ending June 30, ~~2004~~ 2006, may be carried forward and used for
25 the same purpose in the fiscal year ending June 30, ~~2005~~ 2007.

26 The provisions of this section shall be in effect only from July 1, ~~2003~~
27 2005 through June 30, ~~2005~~ 2007.

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29 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
31 REQUIREMENTS. The Chief Fiscal Officer of the State shall annually file with
32 the Arkansas Legislative Council and the Joint Committee on Advanced
33 Communications and Information Technology a report summarizing all receipts
34 and expenditures made from the Unanticipated Services appropriation in this
35 Act.

36 The provisions of this section shall be in effect only from July 1, ~~2003~~

1 2005 through June 30, ~~2005~~ 2007.

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3 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

5 CONTINGENCY RESTRICTIONS. In the event of unforeseen conditions, additional
6 appropriations become necessary that are not authorized or contemplated in
7 Section 3 of this Act and such events make it necessary that the Department
8 of Information Systems receives additional appropriations to carry out the
9 objectives of the agency, the Director of the Department of Information
10 Systems is hereby authorized to request the approval of the Governor and the
11 Chief Fiscal Officer of the State, as hereinafter provided, for transfer of
12 ~~an amount not to exceed twenty five million dollars (\$25,000,000) per year~~
13 ~~provided the Department by the "Unanticipated Services" appropriation, but in~~
14 ~~no event shall the transfers exceed the appropriations provided in the~~
15 ~~"Unanticipated Services" appropriation of this Act.~~ the additional
16 appropriation provided the Department by Section 4, but in no event shall the
17 transfers exceed the appropriation provided in Section 4 of this Act.

18 *Whenever the Director of the Department of Information Systems deems it*
19 *necessary to establish additional appropriations as authorized herein, he*
20 ~~shall file a written report shall be filed with the Governor a written report~~
21 accompanied by necessary supporting documents setting forth the facts,
22 justifications, and circumstances that necessitate such appropriation and in
23 which performance-based programs the additional appropriation will be
24 utilized. Upon receipt of such reports and supporting documents, the
25 Governor, or his designee, shall study the same, and if he shall determine
26 that such additional appropriations are being sought in strict compliance
27 with this Act, the Governor, after seeking prior review by the Joint
28 Committee on Advanced Communications and Information Technology, may approve
29 or modify such request for additional appropriations as in his judgment he
30 deems necessary, and shall forward a copy thereof to the Chief Fiscal Officer
31 of the State. Upon receipt thereof, the Chief Fiscal Officer of the State
32 after receiving prior approval by the Arkansas Legislative Council or Joint
33 Budget Committee shall direct the State Auditor to process said transfer upon
34 his books in accordance with the provisions as set out herein. If the agency
35 requests continuation of appropriation as established herein during the next
36 biennium, the appropriation must be requested as new appropriation in the

1 agency's biennial budget request.
2 Determining the maximum number of employees and the maximum amount of
3 appropriation and general revenue funding for a state agency each fiscal year
4 is the prerogative of the General Assembly. This is usually accomplished by
5 delineating such maximums in the appropriation act(s) for a state agency and
6 the general revenue allocations authorized for each fund and fund account by
7 amendment to the Revenue Stabilization law. Further, the General Assembly
8 has determined that the Department of Information Systems may operate more
9 efficiently if some flexibility is provided to the Department of Information
10 Systems authorizing broad powers under this section. Therefore, it is both
11 necessary and appropriate that the General Assembly maintain oversight by
12 requiring prior approval of the Legislative Council or Joint Budget Committee
13 as provided by this section. The requirement of approval by the Legislative
14 Council or Joint Budget Committee is not a severable part of this section.
15 If the requirement of approval by the Legislative Council or Joint Budget
16 Committee is ruled unconstitutional by a court of competent jurisdiction,
17 this entire section is void.
18 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005
19 through June 30, ~~2005~~ 2007.

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21 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Reporting
23 requirements. REPORTING REQUIREMENTS.

24 (a)(1) The Director of the Department of Information Systems will report
25 periodically to the Joint Committee on Advanced Communications and
26 Information Technology and the Executive Chief Information Officer regarding
27 the status of the Department of Information Systems' information technology
28 responsibilities in state government.

29 (2) The director will forward to the joint committee any statutory
30 changes that the department may recommend sufficiently in advance of the
31 convening of the session of the General Assembly.

32 (3) The director may report any factors that are outside the scope of
33 the department but are deemed to inhibit or to promote the department's
34 responsibilities.

35 (b) (1) By October 31, January 31, April 30, and July 31 of each fiscal
36 year, the Director of the Department Information Systems shall compile and

1 submit a report to:

2 (A) The Arkansas Legislative Council, if submitted between regular
3 sessions of the General Assembly;

4 (B) The Joint Budget Committee, if submitted during a session of
5 the General Assembly; and

6 (C) The Joint Committee on Advanced Communications and Information
7 Technology.

8 (2) The report shall:

9 (A) Detail all requests from state agencies, boards, and
10 commissions for advice regarding information technology planning,
11 implementation, installation, rates or fees, utilization of products,
12 services, and integrations or upgrades to be added to all existing technology
13 plans; and

14 (B) Provide a full report of all corresponding recommendations made
15 by the Department of Information Systems to the requesting state agencies,
16 boards, and commissions.

17 (3) The report shall include:

18 (A) The name of the state agency, board, or commission requesting
19 the advice;

20 (B) The name and scope of the project for which advice is being
21 sought;

22 (C) The type of advice sought, for example: technical, product or
23 service utilization, planning, implementation, installation, integration, or
24 upgrades;

25 (D) A detailed explanation of all recommendations provided by the
26 Department of Information Systems;

27 (E) How the recommendation fits into the information technology
28 plan of the agency, board, or commission;

29 (F) How the recommendation fits into the state's information
30 technology plan and shared technical architecture; and

31 (G) Other information as may be useful for policy making decisions
32 by the Legislative Council or Joint Committee on Advanced Communications and
33 Information Technology.

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35 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

1 Compliance with State and Federal Regulations -

- 2 1. In order to effect compliance with the requirements of Federal OMB
3 Circular A-87, the Director shall adjust billing rates or issue billing
4 adjustments to be federally compliant, notwithstanding the provisions
5 of ACA §25-4-105 and §25-4-119 or funds sufficient to effect compliance
6 shall be provided the Department from General Revenues, Special
7 Revenues or such other fund sources as may become available. These
8 actions shall be subject to the approval of the Chief Fiscal Officer of
9 the State and review by the Arkansas Legislative Council.
- 10
- 11 2. The Director shall have authority to transfer funds between the
12 Information Technology Reserve Fund established by ACA §25-4-123 and
13 the Department of Information Systems Revolving Fund established by ACA
14 §25-4-121 for cash management purposes.

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

25

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

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35 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the General
36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a two (2) year period; that the
2 effectiveness of this Act on July 1, 2005 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the Regular Session, the delay in the effective
5 date of this Act beyond July 1, 2005 could work irreparable harm upon the
6 proper administration and provision of essential governmental programs.
7 Therefore, an emergency is hereby declared to exist and this Act being
8 necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 2005.

10
11 */s/ Joint Budget Committee*

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14 *APPROVED: 3/30/2005*
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