

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 2023 of the Regular Session

As Engrossed: H2/10/05 H2/23/05 H3/4/05

A Bill

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

HOUSE BILL 1321

4
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 ARKANSAS
11 SOIL AND WATER CONSERVATION COMMISSION FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR
13 OTHER PURPOSES.
14
15

Subtitle

16
17 AN ACT FOR THE ARKANSAS SOIL AND WATER
18 CONSERVATION COMMISSION APPROPRIATION
19 FOR 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 - STATE OPERATIONS. There is hereby
25 established for the Arkansas Soil and Water Conservation Commission - State
26 Operations for the 2005-2007 biennium, the following maximum number of
27 regular employees whose salaries shall be governed by the provisions of the
28 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
29 seq.), or its successor, and all laws amendatory thereto. Provided, however,
30 that any position to which a specific maximum annual salary is set out herein
31 in dollars, shall be exempt from the provisions of said Uniform
32 Classification and Compensation Act. All persons occupying positions
33 authorized herein are hereby governed by the provisions of the Regular
34 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
35 successor.



				Maximum Annual		
				Maximum	Salary Rate	
				No. of	Fiscal Years	
Item	Class			Employees	2005-2006	2006-2007
No.	Code	Title				
6	(1)	9916	SOIL & WATER EXECUTIVE DIRECTOR	1	\$90,718	\$92,988
7	(2)	593Z	CHIEF WATER MANAGEMENT	1	GRADE 26	
8	(3)	010Z	SOIL & WATER DEP DIR/CHIEF ENGINEER	1	GRADE 26	
9	(4)	R170	ATTORNEY SPECIALIST	1	GRADE 25	
10	(5)	X339	ENGINEER SUPERVISOR	2	GRADE 24	
11	(6)	045Z	SOIL & WATER FISCAL ADMINISTRATOR	1	GRADE 24	
12	(7)	B106	GEOLOGY SUPERVISOR	1	GRADE 23	
13	(8)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22	
14	(9)	B099	ENVIRONMENTAL PROGRAM MANAGER	1	GRADE 22	
15	(10)	X338	ENGINEER, PE	3	GRADE 22	
16	(11)	R102	RURAL CONSTRUCTION GRANT/FIN OFCR	2	GRADE 21	
17	(12)	X410	LAND RESOURCE SPECIALIST SUPERVISOR	1	GRADE 21	
18	(13)	D123	APPLICATIONS & SYSTEMS ANALYST	1	GRADE 21	
19	(14)	B126	WATER USE & RESOURCE SPECIALIST	1	GRADE 21	
20	(15)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
21	(16)	X408	LAND RESOURCE SPECIALIST	2	GRADE 19	
22	(17)	A111	ACCOUNTANT	2	GRADE 18	
23	(18)	R162	STATISTICIAN/STATISTICIAN II	1	GRADE 17	
24	(19)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
25	(20)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
26	(21)	K153	SECRETARY II	<u>2</u>	GRADE 13	
27	MAX. NO. OF EMPLOYEES			28		

SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for the Arkansas Soil and Water Conservation Commission - State Operations for the 2005-2007 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: one (1) 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.

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SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Arkansas Soil and Water Conservation Commission for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 1,251,756	\$ 1,287,671
(02) EXTRA HELP	1,200	1,200
(03) PERSONAL SERVICES MATCHING	342,810	349,527
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	395,059	395,059
(B) CONF. & TRAVEL	10,165	10,165
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(05) CONSERVATION DISTRICT EXPENSE	939,990	939,990
(06) SURVEYS & INVESTIGATIONS	3,500	3,500
(07) WATER PLANNING	118,981	118,981
(08) RESEARCH PROJECT	<u>1,682</u>	<u>1,682</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,065,143</u>	<u>\$ 3,107,775</u>

SECTION 4. REGULAR SALARIES – *SOIL AND WATER* - CASH. There is hereby established for the Arkansas Soil and Water Conservation Commission – *Soil and Water* - Cash for the 2005-2007 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.

			Maximum Annual		
			Maximum	Salary Rate	
			No. of	Fiscal Years	
5	4	4	3	2005-2006	2006-2007
No.	Code	Title	Employees		
6	(1) A046	AGENCY CONTROLLER – LARGE/COMPLEX A	1	GRADE	25
7	(2) B014	PROFESSIONAL GEOLOGIST	1	GRADE	22
8	(3) B099	ENVIRONMENTAL PROGRAM MANAGER	1	GRADE	22
9	(4) X338	ENGINEER, PE	1	GRADE	22
10	(5) 909Z	PROGRAM SUPPORT MANAGER	1	GRADE	22
11	(6) R102	RURAL CONSTRUCTION GRANT/FIN OFCR	3	GRADE	21
12	(7) B024	BIOLOGIST II	1	GRADE	20
13	(8) X306	CHIEF CONSTRUCTION INSPECTOR	1	GRADE	19
14	(9) X408	LAND RESOURCE SPECIALIST	2	GRADE	19
15	(10) X315	CONSTRUCTION INSPECTOR	1	GRADE	18
16	(11) N360	PUBLIC AFFAIRS SPECIALIST	1	GRADE	18
17	(12) A111	ACCOUNTANT	2	GRADE	18
18	(13) R010	ADMINISTRATIVE ASSISTANT II	2	GRADE	17
19	(14) X333	ENGINEER TECHNICIAN	1	GRADE	16
20	(15) A108	ACCOUNTING TECHNICIAN II	<u>1</u>	GRADE	15
21	MAX. NO. OF EMPLOYEES		20		

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23 SECTION 5. EXTRA HELP – *SOIL AND WATER* - CASH. There is hereby
 24 authorized, for the Arkansas Soil and Water Conservation Commission – *Soil*
 25 *and Water* - Cash for the 2005-2007 biennium, the following maximum number of
 26 part-time or temporary employees, to be known as "Extra Help", payable from
 27 funds appropriated herein for such purposes: four (4) temporary or part-time
 28 employees, when needed, at rates of pay not to exceed those provided in the
 29 Uniform Classification and Compensation Act, or its successor, or this act
 30 for the appropriate classification.

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32 SECTION 6. APPROPRIATION – *SOIL AND WATER* - CASH. There is hereby
 33 appropriated, to the Arkansas Soil and Water Conservation Commission, to be
 34 payable from the cash fund deposited in the State Treasury as determined by
 35 the Chief Fiscal Officer of the State, for personal services and operating
 36 expenses of the Arkansas Soil and Water Conservation Commission – *Soil and*

1 Water - Cash for the biennial period ending June 30, 2007, the following:

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3 ITEM		FISCAL YEARS	
4 NO.		2005-2006	2006-2007
5 (01)	REGULAR SALARIES	\$ 640,079	\$ 659,272
6 (02)	EXTRA HELP	32,000	32,000
7 (03)	PERSONAL SERVICES MATCHING	199,535	203,145
8 (04)	MAINT. & GEN. OPERATION		
9 (A)	OPER. EXPENSE	235,031	235,031
10 (B)	CONF. & TRAVEL	22,000	22,000
11 (C)	PROF. FEES	110,002	110,002
12 (D)	CAP. OUTLAY	0	0
13 (E)	DATA PROC.	0	0
14 (05)	SOIL & WATER GRANTS & LOANS	3,190,017	3,190,017
15 (06)	TRAINING/CONTRACT SERVICES	<u>85,000</u>	<u>85,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,513,664</u>	<u>\$ 4,536,467</u>

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18 SECTION 7. APPROPRIATION - DAM INVENTORY. There is hereby appropriated, to
 19 the Arkansas Soil and Water Conservation Commission, to be payable from the
 20 federal funds as designated by the Chief Fiscal Officer of the State, for
 21 operating expenses of the Arkansas Soil and Water Conservation Commission -
 22 Dam Inventory for the biennial period ending June 30, 2007, the following:

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24 ITEM		FISCAL YEARS	
25 NO.		2005-2006	2006-2007
26 (01)	MAINT. & GEN. OPERATION		
27 (A)	OPER. EXPENSE	\$ 24,216	\$ 24,216
28 (B)	CONF. & TRAVEL	7,000	7,000
29 (C)	PROF. FEES	0	0
30 (D)	CAP. OUTLAY	0	0
31 (E)	DATA PROC.	<u>0</u>	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 31,216</u>	<u>\$ 31,216</u>

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34 SECTION 8. REGULAR SALARIES - FLOOD INSURANCE PROGRAM. There is hereby
 35 established for the Arkansas Soil and Water Conservation Commission - Flood
 36 Insurance Program for the 2005-2007 biennium, the following maximum number of

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

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2005-2006	2006-2007
15	(1) B099	ENVIRONMENTAL PROGRAM MANAGER	1	GRADE 22	
16	(2) R134	PLANNING SPECIALIST II	<u>1</u>	GRADE 18	
17		MAX. NO. OF EMPLOYEES	2		

19 SECTION 9. EXTRA HELP - FLOOD INSURANCE PROGRAM. There is hereby
 20 authorized, for the Arkansas Soil and Water Conservation Commission - Flood
 21 Insurance Program for the 2005-2007 biennium, the following maximum number of
 22 part-time or temporary employees, to be known as "Extra Help", payable from
 23 funds appropriated herein for such purposes: one (1) temporary or part-time
 24 employees, when needed, at rates of pay not to exceed those provided in the
 25 Uniform Classification and Compensation Act, or its successor, or this act
 26 for the appropriate classification.

28 SECTION 10. APPROPRIATION - FLOOD INSURANCE PROGRAM. There is hereby
 29 appropriated, to the Arkansas Soil and Water Conservation Commission, to be
 30 payable from the federal funds as designated by the Chief Fiscal Officer of
 31 the State, for personal services and operating expenses of the Arkansas Soil
 32 and Water Conservation Commission - Flood Insurance Program for the biennial
 33 period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
36		

1	(01)	REGULAR SALARIES	\$	59,076	\$	60,847
2	(02)	EXTRA HELP		7,000		7,000
3	(03)	PERSONAL SERVICES MATCHING		19,320		19,652
4	(04)	MAINT. & GEN. OPERATION				
5	(A)	OPER. EXPENSE		18,139		18,139
6	(B)	CONF. & TRAVEL		5,571		5,571
7	(C)	PROF. FEES		0		0
8	(D)	CAP. OUTLAY		0		0
9	(E)	DATA PROC.		<u>0</u>		<u>0</u>
10		TOTAL AMOUNT APPROPRIATED	\$	<u>109,106</u>	\$	<u>111,209</u>

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12 SECTION 11. REGULAR SALARIES - WATER QUALITY PLAN IMPLEMENTATION. There
 13 is hereby established for the Arkansas Soil and Water Conservation Commission
 14 - Water Quality Plan Implementation for the 2005-2007 biennium, the following
 15 maximum number of regular employees whose salaries shall be governed by the
 16 provisions of the Uniform Classification and Compensation Act (Arkansas Code
 17 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
 18 Provided, however, that any position to which a specific maximum annual
 19 salary is set out herein in dollars, shall be exempt from the provisions of
 20 said Uniform Classification and Compensation Act. All persons occupying
 21 positions authorized herein are hereby governed by the provisions of the
 22 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 23 or its successor.

24

25				Maximum Annual
26			Maximum	Salary Rate
27	Item	Class	No. of	Fiscal Years
28	No.	Code Title	Employees	2005-2006 2006-2007
29	(1)	593Z CHIEF WATER MANAGEMENT	1	GRADE 26
30	(2)	B099 ENVIRONMENTAL PROGRAM MANAGER	1	GRADE 22
31	(3)	B126 WATER USE & RESOURCE SPECIALIST	1	GRADE 21
32	(4)	E014 DIRECTOR MULTI-MEDIA SERVICES	1	GRADE 19
33	(5)	R168 GRANTS COORDINATOR II	<u>1</u>	GRADE 19
34		MAX. NO. OF EMPLOYEES	5	

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36 SECTION 12. APPROPRIATION - WATER QUALITY PLAN IMPLEMENTATION. There is

1 hereby appropriated, to the Arkansas Soil and Water Conservation Commission,
 2 to be payable from the Miscellaneous Agencies Fund Account, for personal
 3 services and operating expenses of the Arkansas Soil and Water Conservation
 4 Commission - Water Quality Plan Implementation for the biennial period ending
 5 June 30, 2007, the following:

7 ITEM	FISCAL YEARS	
8 <u>NO.</u>	2005-2006	2006-2007
9 (01) REGULAR SALARIES	\$ 244,716	\$ 251,682
10 (02) PERSONAL SERVICES MATCHING	65,183	66,492
11 (03) MAINT. & GEN. OPERATION		
12 (A) OPER. EXPENSE	3,200	3,200
13 (B) CONF. & TRAVEL	1,000	1,000
14 (C) PROF. FEES	0	0
15 (D) CAP. OUTLAY	0	0
16 (E) DATA PROC.	0	0
17 (04) WATER QUALITY MATCH GRANTS	722,000	722,000
18 (05) WATER QUALITY TECHNICAL	<u>750,000</u>	<u>750,000</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,786,099</u>	<u>\$ 1,794,374</u>

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21 SECTION 13. REGULAR SALARIES - WATER, WASTE DISPOSAL, AND POLLUTION
 22 ABATEMENT PROGRAM. There is hereby established for the Arkansas Soil and
 23 Water Conservation Commission - Water, Waste Disposal, and Pollution
 24 Abatement Program for the 2005-2007 biennium, the following maximum number of
 25 regular employees whose salaries shall be governed by the provisions of the
 26 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
 27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
 28 that any position to which a specific maximum annual salary is set out herein
 29 in dollars, shall be exempt from the provisions of said Uniform
 30 Classification and Compensation Act. All persons occupying positions
 31 authorized herein are hereby governed by the provisions of the Regular
 32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
 33 successor.

34

	Maximum Annual
Maximum	Salary Rate

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Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2005-2006	2006-2007
3	(1)	R170	ATTORNEY SPECIALIST	1	GRADE 25
4	(2)	X338	ENGINEER, PE	1	GRADE 22
5	(3)	B099	ENVIRONMENTAL PROGRAM MANAGER	1	GRADE 22
6	(4)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17
7	(5)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	<u>1</u>	GRADE 14
8			MAX. NO. OF EMPLOYEES	5	

SECTION 14. APPROPRIATION - WATER, WASTE DISPOSAL, AND POLLUTION ABATEMENT PROGRAM. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the Water, Waste Disposal, Pollution Abatement, Administrative and Research Facilities Construction Fund, for personal services and operating expenses of the Arkansas Soil and Water Conservation Commission - Water, Waste Disposal, and Pollution Abatement Program for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 181,676	\$ 187,049
(02) PERSONAL SERVICES MATCHING	53,337	54,346
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	11,800	11,800
(B) CONF. & TRAVEL	2,000	2,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) WATER, WASTE DISPOSAL, AND POLLUTION ABATEMENT BOND PROGRAM	33,814,096	0
(05) PROJECT DISBURSEMENTS	<u>125,357,918</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 159,420,827</u>	<u>\$ 255,195</u>

SECTION 15. REGULAR SALARIES - NONPOINT SOURCE POLLUTION CONTROL PROGRAM. There is hereby established for the Arkansas Soil and Water Conservation Commission - Nonpoint Source Pollution Control Program for the 2005-2007

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

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2005-2006	2006-2007
15	(1) X339	ENGINEER SUPERVISOR	1	GRADE 24	
16	(2) X338	ENGINEER, PE	3	GRADE 22	
17	(3) B014	PROFESSIONAL GEOLOGIST	1	GRADE 22	
18	(4) B099	ENVIRONMENTAL PROGRAM MANAGER	1	GRADE 22	
19	(5) B032	SR GEOLOGIST	1	GRADE 21	
20	(6) R488	GRANTS ADMIN SUPV	1	GRADE 21	
21	(7) B024	BIOLOGIST II	1	GRADE 20	
22	(8) R168	GRANTS COORDINATOR II	2	GRADE 19	
23	(9) X408	LAND RESOURCE SPECIALIST	3	GRADE 19	
24	(10) R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
25	(11) K153	SECRETARY II	<u>1</u>	GRADE 13	
26		MAX. NO. OF EMPLOYEES	16		

27
 28 SECTION 16. EXTRA HELP - NONPOINT SOURCE POLLUTION CONTROL PROGRAM. There
 29 is hereby authorized, for the Arkansas Soil and Water Conservation Commission
 30 - Nonpoint Source Pollution Control Program for the 2005-2007 biennium, the
 31 following maximum number of part-time or temporary employees, to be known as
 32 "Extra Help", payable from funds appropriated herein for such purposes: two
 33 (2) temporary or part-time employees, when needed, at rates of pay not to
 34 exceed those provided in the Uniform Classification and Compensation Act, or
 35 its successor, or this act for the appropriate classification.

1 SECTION 17. APPROPRIATION - NONPOINT SOURCE POLLUTION CONTROL PROGRAM.
 2 There is hereby appropriated, to the Arkansas Soil and Water Conservation
 3 Commission, to be payable from the federal funds as designated by the Chief
 4 Fiscal Officer of the State, for personal services and operating expenses of
 5 the Arkansas Soil and Water Conservation Commission - Nonpoint Source
 6 Pollution Control Program for the biennial period ending June 30, 2007, the
 7 following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 518,481	\$ 534,071
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERVICES MATCHING	159,634	162,563
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	300,334	300,334
(B) CONF. & TRAVEL	50,000	50,000
(C) PROF. FEES	100,000	100,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(05) NON POINT SOURCE POLLUTION GRANTS	<u>3,407,405</u>	<u>3,407,405</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,545,854</u>	<u>\$ 4,564,373</u>

23 SECTION 18. REGULAR SALARIES - RED RIVER LEVEE REHABILITATION PROJECT.
 24 There is hereby established for the Arkansas Soil and Water Conservation
 25 Commission - Red River Levee Rehabilitation Project for the 2005-2007
 26 biennium, the following maximum number of regular employees whose salaries
 27 shall be governed by the provisions of the Uniform Classification and
 28 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
 29 all laws amendatory thereto. Provided, however, that any position to which a
 30 specific maximum annual salary is set out herein in dollars, shall be exempt
 31 from the provisions of said Uniform Classification and Compensation Act. All
 32 persons occupying positions authorized herein are hereby governed by the
 33 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 34 Code §21-5-101), or its successor.

Maximum Annual

Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years	
				2005-2006	2006-2007
1	(1)	909Z PROGRAM SUPPORT MANAGER	1	GRADE 22	
2	(2)	R266 MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
3	(3)	R009 ADMINISTRATIVE ASSISTANT I	<u>1</u>	GRADE 15	
4		MAX. NO. OF EMPLOYEES	3		

SECTION 19. APPROPRIATION - RED RIVER LEVEE REHABILITATION PROJECT. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the Red River Waterways Project Trust Fund, for expenses of a navigation feasibility study in conjunction with the Corps of Engineers on a cost sharing basis; the purchase of mitigation lands; and for acquisition of right-of-way and relocation utilities for a levee rehabilitation project for the Red River by the Arkansas Soil and Water Conservation Commission - Red River Levee Rehabilitation Project for the biennial period ending June 30, 2007, the following:

ITEM NO.		FISCAL YEARS	
		2005-2006	2006-2007
(01)	REGULAR SALARIES	\$ 99,723	\$ 102,713
(02)	PERSONAL SERVICES MATCHING	30,258	30,821
(03)	PROJECT COST-SHARE GRANTS	2,000,000	2,000,000
(04)	STUDY EXPENSES	<u>1,372,828</u>	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,502,809</u>	<u>\$ 2,133,534</u>

SECTION 20. REGULAR SALARIES - CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND PROGRAM. There is hereby established for the Arkansas Soil and Water Conservation Commission - Construction Assistance Revolving Loan Fund Program for the 2005-2007 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 No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2005-2006	2006-2007
(1)	598Z	ENVIRONMENTAL CHIEF CONST ASST DIVI	1	GRADE 25	
(2)	X339	ENGINEER SUPERVISOR	1	GRADE 24	
(3)	X338	ENGINEER, PE	3	GRADE 22	
(4)	909Z	PROGRAM SUPPORT MANAGER	2	GRADE 22	
(5)	R102	RURAL CONSTRUCTION GRANT/FIN OFCR	2	GRADE 21	
(6)	R460	ENVIRONMENTAL PLANNING SECTION MGR	1	GRADE 21	
(7)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
(8)	R280	ENVIRONMENTAL PROGRAM COORDINATOR	1	GRADE 19	
(9)	R168	GRANTS COORDINATOR II	1	GRADE 19	
(10)	R010	ADMINISTRATIVE ASSISTANT II	<u>1</u>	GRADE 17	
MAX. NO. OF EMPLOYEES			14		

SECTION 21. APPROPRIATION - CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND PROGRAM. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Soil and Water Conservation Commission - Construction Assistance Revolving Loan Fund Program for the biennial period ending June 30, 2007, the following:

ITEM NO.		FISCAL YEARS	
		2005-2006	2006-2007
(01)	REGULAR SALARIES	\$ 582,592	\$ 599,658
(02)	PERSONAL SERVICES MATCHING	163,230	166,435
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	182,404	182,404
(B)	CONF. & TRAVEL	7,219	7,219
(C)	PROF. FEES	13,500	13,500
(D)	CAP. OUTLAY	0	0

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 948,945</u>	<u>\$ 969,216</u>

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 4 SECTION 22. APPROPRIATION - BEAVER ERADICATION PROGRAM. There is hereby
 5 appropriated, to the Arkansas Soil and Water Conservation Commission, to be
 6 payable from the Miscellaneous Agencies Fund Account, for grants to the
 7 conservation districts for beaver control programs within the districts of
 8 the Arkansas Soil and Water Conservation Commission - Beaver Eradication
 9 Program for the biennial period ending June 30, 2007, the following:

10	ITEM	FISCAL YEARS	
11			
12	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
13	(01) GRANTS FOR BEAVER CONTROL PROGRAMS	<u>\$ 150,000</u>	<u>\$ 150,000</u>

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 15 SECTION 23. APPROPRIATION - GRANTS & ATTORNEY SERVICES. There is hereby
 16 appropriated, to the Arkansas Soil and Water Conservation Commission, to be
 17 payable from the Miscellaneous Agencies Fund Account, for operating expenses
 18 of the Arkansas Soil and Water Conservation Commission - Grants and Attorney
 19 Services for the biennial period ending June 30, 2007, the following:

20	ITEM	FISCAL YEARS	
21			
22	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
23	(01) RIVER BASIN COMPACT	\$ 38,820	\$ 38,820
24	(02) LEGAL COUNSEL	5,871	5,871
25	(03) COMMITTEE/COMMISSION EXPENSES	10,000	10,000
26	(04) CONSERVATION PROJECTS	3,500	3,500
27	(05) ARKANSAS RIVER COMPACT	16,400	16,400
28	(06) RED RIVER COMPACT	<u>10,700</u>	<u>10,700</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 85,291</u>	<u>\$ 85,291</u>

30
 31 SECTION 24. APPROPRIATION - RURAL FIRE PROTECTION PROGRAM. There is hereby
 32 appropriated, to the Arkansas Soil and Water Conservation Commission, to be
 33 payable from the Miscellaneous Agencies Fund Account, for operating expenses
 34 of the Arkansas Soil and Water Conservation Commission - Rural Fire
 35 Protection Program for the biennial period ending June 30, 2007, the
 36 following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) RURAL FIRE PROTECTION PROGRAM	\$ <u>1,100,000</u>	\$ <u>1,100,000</u>

SECTION 25. APPROPRIATION - CONSERVATION DISTRICT PROGRAM GRANTS. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the Miscellaneous Agencies Fund Account, for grants to conservation districts of the Arkansas Soil and Water Conservation Commission - Conservation District Program Grants for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) GRANTS TO CONSERVATION DISTRICTS	\$ <u>500,000</u>	\$ <u>500,000</u>

SECTION 26. APPROPRIATION - WATER RESEARCH. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the Miscellaneous Agencies Fund Account, for operating expenses of the Arkansas Soil and Water Conservation Commission - Water Research for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) WATER RESEARCH/CONTRACT	\$ <u>38,800</u>	\$ <u>38,800</u>

SECTION 27. APPROPRIATION - CONSERVATION DISTRICT CLERKS' INSURANCE. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the Miscellaneous Agencies Fund Account, for personal services matching of the Arkansas Soil and Water Conservation Commission - Conservation District Clerks' Insurance for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MEDICAL INSURANCE MATCHING	\$ <u>307,200</u>	\$ <u>307,200</u>

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SECTION 28. APPROPRIATION - WATER, SEWER, AND SOLID WASTE - REVOLVING.
There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the Water, Sewer and Solid Waste Revolving Fund, for water, sewer, and solid waste grants of the Arkansas Soil and Water Conservation Commission - Water, Sewer, and Solid Waste - Revolving for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) WATER, SEWER AND SOLID WASTE GRANTS AND AID	\$ 5,000,000	\$ 5,000,000

SECTION 29. APPROPRIATION - WATER, SEWER, AND SOLID WASTE - STATE. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the Miscellaneous Agencies Fund Account, for water, sewer, and solid waste grants or loans that will be repaid to Water, Sewer, and Solid Waste - Revolving appropriation of the Arkansas Soil and Water Conservation Commission - Water, Sewer, and Solid Waste - State for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) WATER, SEWER AND SOLID WASTE GRANTS	\$ 736,219	\$ 736,219

SECTION 30. APPROPRIATION - OUACHITA RIVER WATERWAYS PROJECTS. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the Ouachita River Waterways Project Trust Fund, for Project Expenses of the Ouachita River Waterways Project of the Arkansas Soil and Water Conservation Commission for the biennial period ending June 30, 2007, the sum of\$250,500.

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. At the end of each fiscal year, the Chief Fiscal Officer of the State shall authorize the transfer of obligated water, sewer, and solid waste

1 funds, as provided in the ~~2003-2005~~ 2005-2007 biennial appropriation act for
2 the Soil and Water Conservation Commission in the appropriation entitled
3 "WATER, SEWER AND SOLID WASTE - STATE", from the ~~State General Services~~
4 Miscellaneous Agencies Fund Account, to the Water, Sewer and Solid Waste
5 Revolving Fund. The provisions of this section shall be in effect only from
6 July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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8 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~TRANSFER~~
10 ~~PROVISION~~ CARRYFORWARD ~~Balances~~. At the end of each fiscal year, the Chief
11 Fiscal Officer of the State shall authorize the carry forward of funds to
12 support the amount of obligated grants that are certified by the Soil and
13 Water Conservation Commission for Matching Grants in the appropriation
14 entitled "Water Quality Plan Implementation". Any unexpended balance of
15 appropriation authorized for "Water Quality Plan Implementation" which
16 remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be
17 carried forward and made available for the same purpose for the fiscal year
18 ending June 30, ~~2005~~ 2007. The provisions of this section shall be in effect
19 only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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21 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~OBLIGATED~~
23 ~~FUNDS TRANSFER PROVISION~~ CARRYFORWARD. At the end of the fiscal year, the
24 Chief Fiscal Officer of the State shall authorize the carry forward of funds
25 to support the amount of obligated grants that are certified by the Soil and
26 Water Conservation Commission for Water Quality Technicians in the
27 appropriation entitled "Water Quality Plan Implementation". Any unexpended
28 balance of appropriation authorized for "Water Quality Plan Implementation"
29 which remains at the close of the fiscal year ending June 30, ~~2004~~ 2006,
30 shall be carried forward and made available for the same purpose for the
31 fiscal year ending June 30, ~~2005~~ 2007. The provisions of this section shall
32 be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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34 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
36 ~~DISBURSEMENTS FOR WATER, WASTE DISPOSAL, AND POLLUTION ABATEMENT PROJECTS~~

1 CARRYFORWARD. Unexpended Balances. Any unexpended balance of the
2 appropriation authorized for Project Disbursements in ~~Item 2 of Section 35~~
3 Item 5 of Section 14 the Water, Waste Disposal, and Pollution Abatement
4 section of this Act which remains at the close of the fiscal year ending June
5 30, ~~2004~~ 2006, shall be carried forward and made available for the same
6 purpose for the fiscal year ending June 30, ~~2005~~ 2007. The provisions of this
7 section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~
8 2007.

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10 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~STUDY~~
12 ~~EXPENSES~~ CARRYFORWARD. Any unexpended balance of the appropriation
13 authorized for Study Expenses in ~~Item 4 of Section 23 of~~ Item 4 of Section 19
14 of the Red River Levee Rehabilitation Project section of this Act which
15 remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be
16 carried forward and made available for the same purpose for the fiscal year
17 ending June 30, ~~2005~~ 2007. The provisions of this section shall be in effect
18 only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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20 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
22 BALANCES SOIL & WATER - CASH FUNDS AS DEFINED BY ARKANSAS CODE 19-4-801. (A)
23 For all appropriations as provided in this Act, the agency disbursing officer
24 shall monitor the level of fund balances in relation to expenditures on a
25 monthly basis. If any proposed expenditures would cause the Soil & Water
26 cash funds as defined by Arkansas Code 19-4-801 to decline below three
27 million one hundred twelve thousand seven hundred eighty dollars
28 (\$3,112,780), the disbursing officer shall immediately notify the executive
29 head of the agency. Prior to any obligations being made under these
30 circumstances, the agency head shall file written documentation with the
31 Chief Fiscal Officer of the State requesting approval of the expenditures.
32 Such documentation shall provide sufficient financial data to justify the
33 expenditures and shall include the following:
34 1) a plan that clearly indicates the specific fiscal impact of such
35 expenditures on the fund balance.
36 2) information clearly indicating and explaining what programs would be cut

1 or any other measures to be taken by the agency to restore the fund balance.
2 3) the extent to which any of the planned expenditures are for one-time costs
3 or one-time purchase of capitalized items.

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

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

10 The provisions of this section shall be in effect only from July 1, ~~2003~~
11 2005 through June 30, ~~2005~~ 2007.

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13 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
15 BALANCES SOIL & WATER - RED RIVER WATERWAYS PROJECT TRUST FUND. (A) For all
16 appropriations as provided in this Act, the agency disbursing officer shall
17 monitor the level of fund balances in relation to expenditures on a monthly
18 basis. If any proposed expenditures would cause the Soil & Water Red River
19 Waterways Project Trust Fund as defined by Arkansas Code 19-4-801 to decline
20 below six million three hundred seventy nine thousand five hundred ninety
21 three dollars (\$6,379,593), the disbursing officer shall immediately notify
22 the executive head of the agency. Prior to any obligations being made under
23 these circumstances, the agency head shall file written documentation with
24 the Chief Fiscal Officer of the State requesting approval of the
25 expenditures. Such documentation shall provide sufficient financial data to
26 justify the expenditures and shall include the following:

- 27 1) a plan that clearly indicates the specific fiscal impact of such
28 expenditures on the fund balance.
29 2) information clearly indicating and explaining what programs would be cut
30 or any other measures to be taken by the agency to restore the fund balance.
31 3) the extent to which any of the planned expenditures are for one-time costs
32 or one-time purchase of capitalized items.
33 4) a statement certifying that the expenditure of fund balances will not
34 jeopardize the financial health of the agency, nor result in a permanent
35 depletion of the fund balance.

36 (B) The Chief Fiscal Officer of the State shall review the request and

1 approve or disapprove all or any part of the request, after having sought
2 prior review by the Legislative Council.

3 The provisions of this section shall be in effect only from July 1, 2003
4 2005 through June 30, ~~2005~~ 2007.

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6 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
8 BALANCES SOIL & WATER - WATER, WASTE DISPOSAL, & POLLUTION ABATEMENT,
9 ADMINISTRATIVE AND RESEARCH FACILITIES FACILITY CONSTRUCTION FUND. (A) For
10 all appropriations as provided in this Act, the agency disbursing officer
11 shall monitor the level of fund balances in relation to expenditures on a
12 monthly basis. If any proposed expenditures would cause the Soil & Water -
13 Water, Waste Disposal, & Pollution Abatement, Administrative and Research
14 Facilities Facility Construction Fund as defined by Arkansas Code 19-4-801 to
15 decline below three million one hundred eighty two thousand one hundred
16 fifteen dollars (\$3,182,115), the disbursing officer shall immediately notify
17 the executive head of the agency. Prior to any obligations being made under
18 these circumstances, the agency head shall file written documentation with
19 the Chief Fiscal Officer of the State requesting approval of the
20 expenditures. Such documentation shall provide sufficient financial data to
21 justify the expenditures and shall include the following:

- 22 1) a plan that clearly indicates the specific fiscal impact of such
23 expenditures on the fund balance.
24 2) information clearly indicating and explaining what programs would be cut
25 or any other measures to be taken by the agency to restore the fund balance.
26 3) the extent to which any of the planned expenditures are for one-time costs
27 or one-time purchase of capitalized items.
28 4) a statement certifying that the expenditure of fund balances will not
29 jeopardize the financial health of the agency, nor result in a permanent
30 depletion of the fund balance.

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

34 The provisions of this section shall be in effect only from July 1, 2003
35 2005 through June 30, ~~2005~~ 2007.

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1 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

3 CARRYFORWARD. Any unexpended balance of the appropriation authorized in the
4 Water, Waste Disposal and Pollution Abatement Bond Program line item of the
5 Water, Waste Disposal, and Pollution Abatement program of this Act which
6 remains at the close of the fiscal year ending June 30, 2006, shall be
7 carried forward and made available for the same purpose for the fiscal year
8 ending June 30, 2007. The provisions of this section shall be in effect only
9 from July 1, 2005 through June 30, 2007

10
11 SECTION 40. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
12 by this act shall be limited to the appropriation for such agency and funds
13 made available by law for the support of such appropriations; and the
14 restrictions of the State Procurement Law, the General Accounting and
15 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
16 Procedures and Restrictions Act, or their successors, and other fiscal
17 control laws of this State, where applicable, and regulations promulgated by
18 the Department of Finance and Administration, as authorized by law, shall be
19 strictly complied with in disbursement of said funds.

20
21 SECTION 41. LEGISLATIVE INTENT. It is the intent of the General Assembly
22 that any funds disbursed under the authority of the appropriations contained
23 in this act shall be in compliance with the stated reasons for which this act
24 was adopted, as evidenced by the Agency Requests, Executive Recommendations
25 and Legislative Recommendations contained in the budget manuals prepared by
26 the Department of Finance and Administration, letters, or summarized oral
27 testimony in the official minutes of the Arkansas Legislative Council or
28 Joint Budget Committee which relate to its passage and adoption.

29
30 SECTION 42. EMERGENCY CLAUSE. It is found and determined by the General
31 Assembly, that the Constitution of the State of Arkansas prohibits the
32 appropriation of funds for more than a two (2) year period; that the
33 effectiveness of this Act on July 1, 2005 is essential to the operation of
34 the agency for which the appropriations in this Act are provided, and that in
35 the event of an extension of the Regular Session, the delay in the effective
36 date of this Act beyond July 1, 2005 could work irreparable harm upon the

1 proper administration and provision of essential governmental programs.
2 Therefore, an emergency is hereby declared to exist and this Act being
3 necessary for the immediate preservation of the public peace, health and
4 safety shall be in full force and effect from and after July 1, 2005.

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/s/ Joint Budget Committee

APPROVED: 04/13/2005

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