

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 1293 of the Regular Session

As Engrossed: H3/20/07 H3/27/07 H3/29/07

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1540

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
11 UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES -
12 DONALD W. REYNOLDS CENTER ON AGING, COLLEGE OF
13 PUBLIC HEALTH, ARKANSAS BIOSCIENCES INSTITUTE AND
14 THE AREA HEALTH EDUCATION CENTER IN HELENA FOR
15 THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR
16 OTHER PURPOSES.

Subtitle

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18
19 AN ACT FOR THE UNIVERSITY OF ARKANSAS
20 FOR MEDICAL SCIENCES - DONALD W.
21 REYNOLDS CENTER ON AGING, COLLEGE OF
22 PUBLIC HEALTH, ARKANSAS BIOSCIENCES
23 INSTITUTE AND AREA HEALTH EDUCATION
24 CENTER IN HELENA APPROPRIATION.
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26
27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
28

29 SECTION 1. REGULAR SALARIES - REYNOLDS CENTER ON AGING, COLLEGE OF PUBLIC
30 HEALTH, BIOSCIENCES INSTITUTE AND AREA HEALTH EDUCATION CENTER - HELENA.

31 There is hereby established for the University of Arkansas for Medical
32 Sciences - Reynolds Center on Aging, College of Public Health, Biosciences
33 Institute and Area Health Education Center - Helena for the 2007-2009
34 biennium, the following maximum number of regular employees whose salaries
35 shall be governed by the provisions of the Uniform Classification and



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

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| Item No. | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Years | |
|-------------|---|--------------------------------|---|-----------|
| | | | 2007-2008 | 2008-2009 |
| | <u>UAMS DONALD W. REYNOLDS CTR ON AGING</u> | | | |
| | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| | <u>ADMINISTRATIVE POSITIONS</u> | | | |
| (1) | Project/Program Manager | 1 | \$72,828 | \$74,285 |
| (2) | Project/Program Specialist | 4 | \$62,836 | \$64,093 |
| | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| | <u>CLASSIFIED POSITIONS</u> | | | |
| (3) | Administrative Assistant II | 1 | | GRADE 17 |
| | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| | <u>ACADEMIC POSITIONS</u> | | | |
| (4) | Faculty Pool | 19 | | |
| | Professor | | \$144,168 | \$147,051 |
| | Associate Professor | | \$133,038 | \$135,699 |
| | Assistant Professor | | \$125,612 | \$128,124 |
| | Instructor | | \$100,933 | \$102,952 |
| (5) | Education Coordinator | 1 | \$103,750 | \$105,825 |
| (6) | Research Assistant | 1 | \$68,253 | \$69,618 |
| | <u>UAMS ARK COLLEGE OF PUBLIC HEALTH</u> | | | |
| | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| | <u>ADMINISTRATIVE POSITIONS</u> | | | |
| (7) | Project/Program Director | 1 | \$80,367 | \$81,974 |
| (8) | Project/Program Specialist | 1 | \$62,836 | \$64,093 |
| | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| | <u>CLASSIFIED POSITIONS</u> | | | |

| | | | | | |
|----|------|---|----|-----------|-----------|
| 1 | (9) | Systems Analyst II-Inst | 1 | | GRADE 22 |
| 2 | (10) | Research Technologist II | 1 | | GRADE 20 |
| 3 | (11) | Administrative Assistant II | 6 | | GRADE 17 |
| 4 | (12) | Secretary II | 1 | | GRADE 13 |
| 5 | | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| 6 | | <u>ACADEMIC POSITIONS</u> | | | |
| 7 | (13) | Dean | 1 | \$214,293 | \$218,579 |
| 8 | (14) | Department Chairperson | 5 | \$151,599 | \$154,631 |
| 9 | (15) | Associate Dean | 1 | \$145,026 | \$147,927 |
| 10 | (16) | Faculty Pool | 6 | | |
| 11 | | Professor | | \$144,168 | \$147,051 |
| 12 | | Associate Professor | | \$133,038 | \$135,699 |
| 13 | | Assistant Professor | | \$125,612 | \$128,124 |
| 14 | | <u>ARKANSAS BIOSCIENCES INSTITUTE</u> | | | |
| 15 | | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| 16 | | <u>ADMINISTRATIVE POSITIONS</u> | | | |
| 17 | (17) | Director of Biosciences Institute | 1 | \$225,379 | \$229,887 |
| 18 | | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| 19 | | <u>CLASSIFIED POSITIONS</u> | | | |
| 20 | (18) | Research Technologist I | 12 | | GRADE 18 |
| 21 | (19) | Research Technician II | 12 | | GRADE 13 |
| 22 | | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| 23 | | <u>ACADEMIC POSITIONS</u> | | | |
| 24 | (20) | Faculty Pool | 24 | | |
| 25 | | Research Professor | | \$140,799 | \$143,615 |
| 26 | | Research Associate Professor | | \$133,037 | \$135,698 |
| 27 | | Research Assistant Professor | | \$125,612 | \$128,124 |
| 28 | | Research Instructor | | \$86,428 | \$88,157 |
| 29 | (21) | Post Doctoral Fellow | 6 | \$87,080 | \$88,822 |
| 30 | (22) | Graduate Assistant | 4 | \$33,970 | \$34,649 |
| 31 | | <u>UAMS AREA HEALTH ED CTR IN HELENA</u> | | | |
| 32 | | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| 33 | | <u>ADMINISTRATIVE POSITIONS</u> | | | |
| 34 | (23) | Administrative Support Pool | 17 | | |
| 35 | | Project/Program Director | | \$80,367 | \$81,974 |
| 36 | | Project/Program Manager | | \$72,828 | \$74,285 |

| | | | | |
|----|---|----------|-----------|-----------|
| 1 | Project/Program Specialist | | \$62,836 | \$64,093 |
| 2 | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| 3 | <u>CLASSIFIED POSITIONS</u> | | | |
| 4 | (24) Administrative Assistant II | 2 | | GRADE 17 |
| 5 | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | | |
| 6 | <u>ACADEMIC POSITIONS</u> | | | |
| 7 | (25) Assistant Professor | 2 | \$125,612 | \$128,124 |
| 8 | (26) Clinic Instructor | 1 | \$100,934 | \$102,953 |
| 9 | (27) RN II - AHEC | 2 | \$75,742 | \$77,257 |
| 10 | (28) Assistant Instructor | <u>5</u> | \$72,260 | \$73,705 |
| 11 | MAX. NO. OF EMPLOYEES | 139 | | |

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13 SECTION 2. APPROPRIATION - DONALD W. REYNOLDS CENTER ON AGING. There is
 14 hereby appropriated, to the University of Arkansas for Medical Sciences, to
 15 be payable from the Targeted State Needs Program Account of the Tobacco
 16 Settlement Program Fund, for personal services and operating expenses of the
 17 University of Arkansas for Medical Sciences - Donald W. Reynolds Center on
 18 Aging for the biennial period ending June 30, 2009, the following:

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| 20 | ITEM | FISCAL YEARS | |
|----|------------------------------|---------------------|---------------------|
| 21 | <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| 22 | (01) REGULAR SALARIES | \$ 917,984 | \$ 936,343 |
| 23 | (02) PERSONAL SERV MATCHING | 218,972 | 223,351 |
| 24 | (03) MAINT. & GEN. OPERATION | | |
| 25 | (A) OPER. EXPENSE | 481,413 | 481,413 |
| 26 | (B) CONF. & TRAVEL | 42,242 | 42,242 |
| 27 | (C) PROF. FEES | 0 | 0 |
| 28 | (D) CAP. OUTLAY | 6,812 | 6,812 |
| 29 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 30 | TOTAL AMOUNT APPROPRIATED | <u>\$ 1,667,423</u> | <u>\$ 1,690,161</u> |

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32 SECTION 3. APPROPRIATION - COLLEGE OF PUBLIC HEALTH. There is hereby
 33 appropriated, to the University of Arkansas for Medical Sciences, to be
 34 payable from the Targeted State Needs Program Account of the Tobacco
 35 Settlement Program Fund, for personal services and operating expenses of the
 36 University of Arkansas for Medical Sciences - College of Public Health for

1 the biennial period ending June 30, 2009, the following:

| 2 | | FISCAL YEARS | |
|----|------------------------------|---------------------|---------------------|
| 3 | ITEM | | |
| 4 | <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| 5 | (01) REGULAR SALARIES | \$ 1,736,034 | \$ 1,770,755 |
| 6 | (02) PERSONAL SERV MATCHING | 341,615 | 348,448 |
| 7 | (03) MAINT. & GEN. OPERATION | | |
| 8 | (A) OPER. EXPENSE | 253,110 | 253,110 |
| 9 | (B) CONF. & TRAVEL | 38,048 | 38,048 |
| 10 | (C) PROF. FEES | 0 | 0 |
| 11 | (D) CAP. OUTLAY | 40,388 | 40,388 |
| 12 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 13 | TOTAL AMOUNT APPROPRIATED | <u>\$ 2,409,195</u> | <u>\$ 2,450,749</u> |

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15 SECTION 4. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby
 16 appropriated, to the University of Arkansas for Medical Sciences, to be
 17 payable from the Arkansas Biosciences Institute Program Account of the
 18 Tobacco Settlement Program Fund, for personal services and operating expenses
 19 of the University of Arkansas for Medical Sciences - Arkansas Biosciences
 20 Institute for the biennial period ending June 30, 2009, the following:

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| 22 | ITEM | FISCAL YEARS | |
|----|---|---------------------|---------------------|
| 23 | <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| 24 | (01) REGULAR SALARIES | \$ 980,851 | \$ 1,000,468 |
| 25 | (02) PERSONAL SERV MATCHING | 233,211 | 237,875 |
| 26 | (03) MAINT. & GEN. OPERATION | | |
| 27 | (A) OPER. EXPENSE | 842,499 | 842,499 |
| 28 | (B) CONF. & TRAVEL | 13,960 | 13,960 |
| 29 | (C) PROF. FEES | 27,940 | 27,940 |
| 30 | (D) CAP. OUTLAY | 1,034,680 | 1,034,680 |
| 31 | (E) DATA PROC. | 0 | 0 |
| 32 | (04) ARKANSAS CHILDRENS HOSPITAL RESEARCH | | |
| 33 | PROGRAM | <u>1,333,336</u> | <u>1,333,336</u> |
| 34 | TOTAL AMOUNT APPROPRIATED | <u>\$ 4,466,477</u> | <u>\$ 4,490,758</u> |

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36 SECTION 5. APPROPRIATION - AREA HEALTH EDUCATION CENTER IN HELENA. There

1 is hereby appropriated, to the University of Arkansas for Medical Sciences,
 2 to be payable from the Targeted State Needs Program Account of the Tobacco
 3 Settlement Program Fund, for personal services and operating expenses of the
 4 University of Arkansas for Medical Sciences - Area Health Education Center in
 5 Helena for the biennial period ending June 30, 2009, the following:

| ITEM | FISCAL YEARS | |
|------------------------------|---------------------|---------------------|
| <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| (01) REGULAR SALARIES | \$ 1,131,657 | \$ 1,154,291 |
| (02) PERSONAL SERV MATCHING | 287,167 | 292,910 |
| (03) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 385,938 | 385,938 |
| (B) CONF. & TRAVEL | 18,160 | 18,160 |
| (C) PROF. FEES | 0 | 0 |
| (D) CAP. OUTLAY | 22,420 | 22,420 |
| (E) DATA PROC. | <u>0</u> | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 1,845,342</u> | <u>\$ 1,873,719</u> |

19 *SECTION 6. APPROPRIATION - TARGETED STATE NEEDS CONTINGENCY. There is*
 20 *hereby appropriated, to the University of Arkansas for Medical Sciences, to*
 21 *be payable from the Targeted State Needs Program Account, for personal*
 22 *services and operating expenses which may be transferred and added to any*
 23 *appropriation line item payable from the Targeted State Needs Program Account*
 24 *by the University of Arkansas for Medical Sciences for the biennial period*
 25 *ending June 30, 2009, the following:*

| ITEM | FISCAL YEARS | |
|---------------------------------------|---------------------|---------------------|
| <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| (01) TARGETED STATE NEEDS CONTINGENCY | <u>\$ 2,213,705</u> | <u>\$ 2,213,705</u> |

32 *SECTION 7. APPROPRIATION - BIOSCIENCES INSTITUTE CONTINGENCY. There is*
 33 *hereby appropriated, to the University of Arkansas for Medical Sciences, to*
 34 *be payable from the Arkansas Biosciences Institute Program Account, for*
 35 *personal services and operating expenses which may be transferred and added*
 36 *to any appropriation line item payable from the Arkansas Biosciences*

1 Institute Program Account by the University of Arkansas for Medical Sciences
2 for the biennial period ending June 30, 2009, the following:

| ITEM | FISCAL YEARS | |
|--|--------------|--------------|
| NO. | 2007-2008 | 2008-2009 |
| (01) BIOSCIENCES INSTITUTE CONTINGENCY | \$ 1,690,199 | \$ 1,690,199 |

9 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
11 FORWARD. Such appropriation as is authorized in this Act which remains at the
12 end of the first fiscal year of the biennium may be carried forward into the
13 second fiscal year of the biennium there to be used for the same purposes.

14 Any carry forward of unexpended balance of appropriation and/or funding as
15 authorized herein, may be carried forward under the following conditions:

17 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
18 its reason(s) for the need to carry forward said appropriation and/or funding
19 to the Department of Finance and Administration Office of Budget;

21 (2) The Department of Finance and Administration Office of Budget shall
22 report to the Arkansas Legislative Council all amounts carried forward from
23 the first fiscal year of the biennium to the second fiscal year of the
24 biennium by the September Arkansas Legislative Council or Joint Budget
25 Committee meeting in the second fiscal year of the biennial period which
26 report shall include the name of the Agency, Board, Commission or Institution
27 and the amount of the appropriation and/or funding carried forward from the
28 first fiscal year to the second fiscal year, the program name or line item,
29 the funding source of that appropriation and a copy of the written request
30 set forth in (1) above;

32 (3) Each Agency, Board, Commission or Institution shall provide a written
33 report to the Arkansas Legislative Council or Joint Budget Committee
34 containing all information set forth in item (2) above, along with a written
35 statement as to the current status of the project, contract, purpose etc. for
36 which the carry forward was originally requested no later than thirty (30)

1 days prior to the time the Agency, Board, Commission or Institution presents
2 its budget request to the Arkansas Legislative Council/Joint Budget
3 Committee; and

4
5 (4) Thereupon, the Department of Finance and Administration shall include
6 all information obtained in item (3) above in the biennial budget manuals
7 and/or a statement of non-compliance by the Agency, Board, Commission or
8 Institution.

9
10 The provisions of this section shall be in effect only from July 1, 2005
11 2007 through June 30, ~~2007~~ 2009.

12
13 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
15 CHILDREN'S HOSPITAL RESEARCH PROGRAM. In any fiscal year, if the funds
16 received by the University of Arkansas for Medical Sciences for the Arkansas
17 Biosciences Institute under Section ~~6~~ 4 of this Act are less than the total
18 amount appropriated, the University of Arkansas for Medical Sciences shall
19 provide no less than thirty-three and one-third percent (33 and 1/3%) of the
20 available funds for the Arkansas Children's Hospital Research Program.
21 Otherwise, the Arkansas Children's Hospital Research Program line item
22 appropriation under Section ~~6~~ 4 of this Act shall be funded in total or
23 Arkansas Children's Hospital Chief Executive Officer may request that the
24 University of Arkansas for Medical Sciences transfer such funds each fiscal
25 year from the ~~University of Arkansas Medical Center Fund~~ Arkansas Biosciences
26 Institute Program Account to the Department of Human Services Grants Fund
27 Account. The transferred funds shall be used to match federal funds used for
28 Supplemental Medicaid payments to Arkansas Children's Hospital.

29 The provisions of this section shall be in effect only from July 1, 2005
30 2007 through June 30, ~~2007~~ 2009.

31
32 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
34 RESTRICTIONS. The appropriations provided in this act shall not be
35 transferred under the provisions of Arkansas Code 19-4-522 or the provisions
36 of Arkansas Code 6-62-104, but only as provided by this act.

1 The provisions of this section shall be in effect only from July 1, 2005
2 2007 through June 30, ~~2007~~ 2009.

3
4 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
6 PROVISIONS. The state-supported institution of higher education in this act
7 may transfer appropriations between the various line items within each
8 appropriation contained in this appropriation act. Such transfers shall be
9 made only after the approval of the Department of Higher Education and the
10 Chief Fiscal Officer of the State, and the approval of the Legislative
11 Council.

12 The General Assembly has determined that the institution in this act could
13 be operated more efficiently if some flexibility is given to that institution
14 and that flexibility is being accomplished by providing authority to transfer
15 between items of appropriation made by this act. Since the General Assembly
16 has granted the institution broad powers under the transfer of
17 appropriations, it is both necessary and appropriate that the General
18 Assembly maintain oversight of the utilization of the transfers by requiring
19 prior approval of the Legislative Council in the utilization of the transfer
20 authority. Therefore, the requirement of approval by the Legislative Council
21 is not a severable part of this section. If the requirement of approval by
22 the Legislative Council is ruled unconstitutional by a court of competent
23 jurisdiction, this entire section is void.

24 The provisions of this section shall be in effect only from July 1, 2005
25 2007 through June 30, ~~2007~~ 2009.

26
27 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
29 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
30 State of Arkansas or any of its agencies or institutions to continue funding
31 any position paid from the proceeds of the Tobacco Settlement in the event
32 that Tobacco Settlement funds are not sufficient to finance the position.
33 (b) State funds will not be used to replace Tobacco Settlement funds when
34 such funds expire, unless appropriated by the General Assembly and authorized
35 by the Governor.
36 (c) A disclosure of the language contained in (a) and (b) of this Section

1 shall be made available to all new hire and current positions paid from the
2 proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.

3 (d) Whenever applicable the information contained in (a) and (b) of this
4 Section shall be included in the employee handbook and or Professional
5 Services Contract paid from the proceeds of the Tobacco Settlement.

6 The provisions of this section shall be in effect only from July 1, 2005
7 2007 through June 30, ~~2007~~ 2009.

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9 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
11 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act
12 shall be limited to the appropriation for such agency and funds made
13 available by law for the support of such appropriations; and the restrictions
14 of the State Purchasing Law, the General Accounting and Budgetary Procedures
15 Law, the Regular Salary Procedures and Restrictions Act, or their successors,
16 and other fiscal control laws of this State, where applicable, and
17 regulations promulgated by the Department of Finance and Administration, as
18 authorized by law, shall be strictly complied with in disbursement of said
19 funds.

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21 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
23 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds
24 disbursed under the authority of the appropriations contained in this act
25 shall be in compliance with the stated reasons for which this act was
26 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
27 Executive Recommendations and Legislative Recommendations contained in the
28 budget manuals prepared by the Department of Finance and Administration,
29 letters, or summarized oral testimony in the official minutes of the Arkansas
30 Legislative Council or Joint Budget Committee which relate to its passage and
31 adoption.

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33 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
34 Assembly, that the Constitution of the State of Arkansas prohibits the
35 appropriation of funds for more than a two (2) year period; that the
36 effectiveness of this Act on July 1, 2007 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the Regular Session, the delay in the effective
3 date of this Act beyond July 1, 2007 could work irreparable harm upon the
4 proper administration and provision of essential governmental programs.
5 Therefore, an emergency is hereby declared to exist and this Act being
6 necessary for the immediate preservation of the public peace, health and
7 safety shall be in full force and effect from and after July 1, 2007.

8
9 */s/ Joint Budget Committee*

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11 *APPROVED: 4/5/2007*
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