

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1107

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 SECRETARY
11 OF STATE FOR THE FISCAL YEAR ENDING JUNE 30,
12 2011; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE SECRETARY OF STATE
16 APPROPRIATION FOR THE 2010-2011 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - CENTRAL OPERATIONS. There is hereby
24 established for the Secretary of State - Central Operations for the 2010-2011
25 fiscal year, the following maximum number of regular employees whose salaries
26 shall be governed by the provisions of the Uniform Classification and
27 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
28 all laws amendatory thereto. Provided, however, that any position to which a
29 specific maximum annual salary is set out herein in dollars, shall be exempt
30 from the provisions of said Uniform Classification and Compensation Act. All
31 persons occupying positions authorized herein are hereby governed by the
32 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
33 Code §21-5-101), or its successor.
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Maximum Annual
Maximum Salary Rate

1	Item		No. of	Fiscal Year
2	No.	Title	Employees	2010-2011
3	(1)	SEC OF STATE CHIEF DEPUTY	1	\$105,614
4	(2)	SEC OF STATE DEP FOR ELECTION/COMM	1	\$96,291
5	(3)	SEC OF STATE GENERAL COUNSEL	2	\$86,528
6	(4)	SEC OF STATE ASSISTANT COUNSEL	1	\$82,993
7	(5)	SEC OF STATE INFO TECH DIRECTOR	1	\$82,993
8	(6)	SEC OF STATE DATABASE ENGINEER	1	\$82,592
9	(7)	SEC OF STATE BUSINESS DIRECTOR	1	\$72,627
10	(8)	SEC OF STATE ELECTION DIRECTOR	1	\$72,627
11	(9)	SEC OF STATE COMMUNICATION/ED DIR	1	\$72,627
12	(10)	SEC OF STATE BUS AND COMMERCIAL SVC	1	\$72,627
13	(11)	SEC OF STATE PUBLIC AFFAIRS DIR	1	\$72,627
14	(12)	SEC OF STATE VOTER SVCS SUPERVISOR	1	\$67,690
15	(13)	SEC OF STATE PUBLIC EVENTS COORD	1	\$66,364
16	(14)	SEC OF STATE EDUCATION COORDINATOR	1	\$64,294
17	(15)	SEC OF STATE PROJECT COORDINATOR	3	\$58,711
18	(16)	SEC OF STATE FINANCE MANAGER	1	\$58,711
19	(17)	SEC OF STATE PROGRAMMER ANALYST II	1	\$58,657
20	(18)	SEC OF STATE ELECTION SERVICES SUPV	1	\$57,848
21	(19)	SEC OF STATE HUMAN RESOURCES MGR	1	\$57,782
22	(20)	SEC OF STATE PROGRAMMER ANALYST	1	\$56,524
23	(21)	SEC OF STATE ELECTION COORDINATOR	6	\$55,052
24	(22)	SEC OF STATE PURCHASING MANAGER	1	\$52,852
25	(23)	SEC OF STATE NETWORK ADMINISTRATOR	1	\$51,823
26	(24)	SEC OF STATE SECURITY ADMINISTRATOR	1	\$51,823
27	(25)	SEC OF STATE ASST FINANCE MANAGER	1	\$51,022
28	(26)	SEC OF STATE CAPITOL HISTORIAN	1	\$50,802
29	(27)	SEC OF STATE OUTREACH COORDINATOR	1	\$50,802
30	(28)	SEC OF STATE BUS CONTINUITY ADMIN	1	\$50,639
31	(29)	SEC OF STATE EXECUTIVE ASSISTANT	1	\$50,504
32	(30)	SEC OF STATE ADMIN ASSISTANT	2	\$50,105
33	(31)	SEC OF STATE ACCOUNTANT	4	\$48,133
34	(32)	SEC OF STATE VOTER SERVICES SYS ADM	1	\$47,585
35	(33)	SEC OF STATE VOTER SVCS PROJECT ADM	1	\$47,585
36	(34)	SEC OF STATE PC HARDWARE SPEC	1	\$47,585

1	(35)	SEC OF STATE USER SUPPORT ANALYST	1	\$47,585
2	(36)	SEC OF STATE PRODUCTION SPEC	1	\$47,585
3	(37)	SEC OF STATE LEGAL ASSI STANT	1	\$46,405
4	(38)	SEC OF STATE CUSTOMER SVCS COORD	3	\$45,135
5	(39)	SEC OF STATE COMM/EDUC COORD	1	\$45,135
6	(40)	SEC OF STATE PHOTOGRAPHY MANAGER	1	\$44,354
7	(41)	SEC OF STATE PUBLIC INFO OFFCR	1	\$44,270
8	(42)	SEC OF STATE PHOTOGRAPHER	2	\$40,960
9	(43)	SEC OF STATE BUSINESS ASSI STANT	2	\$40,788
10	(44)	SEC OF STATE PURCHASING ASST	1	\$40,788
11	(45)	SEC OF STATE PAYROLL OFFICER	1	\$40,788
12	(46)	SEC OF STATE LEAD CORPORATIONS REP	2	\$40,788
13	(47)	SEC OF STATE LEAD UCC REP	2	\$40,788
14	(48)	SEC OF STATE RECORDS SPECIALI ST	1	\$40,788
15	(49)	SEC OF STATE ELECTION SVCS REP II	1	\$40,375
16	(50)	SEC OF STATE VOTER SVCS REP	1	\$40,375
17	(51)	SEC OF STATE ELECT SVCS REP	3	\$40,375
18	(52)	SEC OF STATE RECEPTIONI ST II	1	\$37,550
19	(53)	SEC OF STATE CORPORATIONS REP	15	\$35,674
20	(54)	SEC OF STATE UCC REP	3	\$35,674
21	(55)	SEC OF STATE HELP DESK REP	2	\$35,407
22	(56)	SEC OF STATE TOUR INFORMATION SPEC	1	\$27,191
23	(57)	SEC OF STATE MAIL CLERK	<u>1</u>	\$26,961
24		MAX. NO. OF EMPLOYEES	94	

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26 SECTION 2. EXTRA HELP - CENTRAL OPERATIONS. There is hereby authorized,
 27 for the Secretary of State - Central Operations for the 2010-2011 fiscal
 28 year, the following maximum number of part-time or temporary employees, to be
 29 known as "Extra Help", payable from funds appropriated herein for such
 30 purposes: twenty-five (25) temporary or part-time employees, when needed, at
 31 rates of pay not to exceed those provided in the Uniform Classification and
 32 Compensation Act, or its successor, or this act for the appropriate
 33 classification.

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35 SECTION 3. APPROPRIATION - CENTRAL OPERATIONS. There is hereby
 36 appropriated, to the Secretary of State, to be payable from the State Central

1 Services Fund, for personal services and operating expenses of the Secretary
 2 of State - Central Operations for the fiscal year ending June 30, 2011, the
 3 following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2010-2011</u>
7 (01) REGULAR SALARIES	\$ 4,725,727
8 (02) EXTRA HELP	87,606
9 (03) PERSONAL SERVICES MATCHING	1,372,683
10 (04) OVERTIME	10,000
11 (05) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	1,529,904
13 (B) CONF. & TRAVEL	51,795
14 (C) PROF. FEES	62,956
15 (D) CAP. OUTLAY	170,908
16 (E) DATA PROC.	108,570
17 (06) MANDATORY PUBLICATIONS	214,038
18 (07) PETITION VERIFICATION	275,000
19 (08) PUBLISH LEGAL NOTICES	550,000
20 (09) RECORDS MANAGEMENT	933,977
21 (10) STATEWIDE VOTER REGISTRATION SYSTEM	1,438,029
22 (11) FLAGS	<u>181,250</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$ 11,712,443</u>

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25 SECTION 4. REGULAR SALARIES - SUPPORT OPERATIONS. There is hereby
 26 established for the Secretary of State - Support Operations for the 2010-2011
 27 fiscal year, the following maximum number of regular employees whose salaries
 28 shall be governed by the provisions of the Uniform Classification and
 29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
 30 all laws amendatory thereto. Provided, however, that any position to which a
 31 specific maximum annual salary is set out herein in dollars, shall be exempt
 32 from the provisions of said Uniform Classification and Compensation Act. All
 33 persons occupying positions authorized herein are hereby governed by the
 34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 35 Code §21-5-101), or its successor.

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Item	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2010-2011
(1)	SEC OF STATE DEPUTY CONSTR/BLDG/GRN	1	\$96,291
(2)	SEC OF STATE CAPITOL POLICE CHIEF	1	\$74,956
(3)	SEC OF STATE MASTER TRADES DIRECTOR	1	\$72,627
(4)	SEC OF STATE BLDG GROUNDS DIRECTOR	1	\$72,627
(5)	SEC OF STATE CAPITOL ASST POLICE CHF	1	\$64,578
(6)	SEC OF STATE GROUNDS MGR	1	\$62,873
(7)	SEC OF STATE BLDG OPERATIONS MGR	1	\$62,873
(8)	SEC OF STATE PROJECT COORDINATOR	1	\$58,711
(9)	SEC OF STATE POLICE SERGEANT	3	\$56,645
(10)	SEC OF STATE MASTER PLUMBER	1	\$51,892
(11)	SEC OF STATE MASTER ELECTRICIAN	1	\$51,892
(12)	SEC OF STATE CORPORAL	16	\$47,655
(13)	SEC OF STATE BLDG & GROUNDS SUPV	4	\$45,117
(14)	SEC OF STATE BLDG&GRNDS PROJ COORD	1	\$44,108
(15)	SEC OF STATE MAINTENANCE WORKER II	2	\$43,436
(16)	SEC OF STATE ELECTRICIAN	1	\$42,792
(17)	SEC OF STATE PLUMBER	1	\$42,792
(18)	SEC OF STATE INMATE CREW GUARD II	1	\$40,096
(19)	SEC OF STATE INMATE CREW GUARD I	4	\$34,913
(20)	SEC OF STATE MAINTENANCE WORKER I	5	\$34,095
(21)	SEC OF STATE CUSTODIAN II	1	\$33,660
(22)	SEC OF STATE DISPATCHER	3	\$30,081
(23)	SEC OF STATE CAPITOL HILL CUSTODIAN	1	\$27,900
(24)	SEC OF STATE CUSTODIAN I	6	\$27,201
(25)	SEC OF STATE GROUNDS ASSISTANT	1	\$26,429
(26)	SEC OF STATE PARKING LOT ATTENDANT	1	\$26,429
(27)	SEC OF STATE RECEPTIONIST I	1	\$26,429
(28)	SEC OF STATE HOUSEKEEPER	<u>6</u>	\$26,429
MAX. NO. OF EMPLOYEES		68	

SECTION 5. EXTRA HELP - SUPPORT OPERATIONS. There is hereby authorized, for the Secretary of State - Support Operations for the 2010-2011 fiscal

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

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8 SECTION 6. APPROPRIATION - SUPPORT OPERATIONS. There is hereby
9 appropriated, to the Secretary of State, to be payable from the State Central
10 Services Fund, for personal services and operating expenses of the Secretary
11 of State - Support Operations for the fiscal year ending June 30, 2011, the
12 following:

ITEM	FISCAL YEAR
NO.	2010-2011
(01) REGULAR SALARIES	\$ 2,936,860
(02) EXTRA HELP	9,000
(03) PERSONAL SERVICES MATCHING	901,581
(04) OVERTIME	23,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,356,922
(B) CONF. & TRAVEL	13,856
(C) PROF. FEES	138,000
(D) CAP. OUTLAY	258,940
(E) DATA PROC.	0
(06) CAPITOL GROUNDS IMPROVEMENT	135,454
(07) SPECIAL MAINTENANCE	488,048
(08) BUILDING INSURANCE	<u>223,278</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 6,484,939</u>

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31 SECTION 7. APPROPRIATION - HELP AMERICA VOTE ACT - TITLE 2 - FEDERAL.
32 There is hereby appropriated, to the Secretary of State, to be payable from
33 the federal funds as designated by the Chief Fiscal Officer of the State, for
34 expenditures requiring state matching for maintenance, operating expenses and
35 associated costs for the Help America Vote Act for the fiscal year ending
36 June 30, 2011, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) HELP AMERICA VOTE ACT	<u>\$ 4,780,000</u>

SECTION 8. APPROPRIATION - ELECTION ASSISTANCE FOR DISABLED - FEDERAL.
 There is hereby appropriated, to the Secretary of State, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grants, aid and professional fees and services for election assistance for the disabled for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) ELECTION ASSISTANCE FOR THE DISABLED	<u>\$ 135,225</u>

SECTION 9. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL PRESERVATION.
 There is hereby appropriated, to the Secretary of State, to be payable from the Capitol Grounds Monument And Memorial Preservation Fund, for various construction and operating expenses for the preservation of Monuments and Memorials on the State Capitol Grounds by the Secretary of State for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) VARIOUS OPERATING & CONSTRUCTION EXPENSES FOR MONUMENT/MEMORIAL PRESERVATION	<u>\$ 50,000</u>

SECTION 10. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING AND GROUNDS RESTORATION - CASH. There is hereby appropriated, to the Secretary of State, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, from contributions and donations for maintenance and restoration projects by the Secretary of State for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2010-2011</u>
2	(01) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$ 25,000
4	(B) CONF. & TRAVEL	0
5	(C) PROF. FEES	0
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 25,000</u>

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10 SECTION 11. APPROPRIATION - PARKING - CASH. There is hereby appropriated,
 11 to the Secretary of State, to be payable from cash funds as defined by
 12 Arkansas Code 19-4-801 of the Secretary of State, for various operating and
 13 associated expenses for parking activity of the Secretary of State for the
 14 fiscal year ending June 30, 2011, the following:

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16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2010-2011</u>
18	(01) VARIOUS PARKING EXPENSES	<u>\$ 280,000</u>

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20 SECTION 12. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby
 21 appropriated, to the Secretary of State, to be payable from the Miscellaneous
 22 Revolving Fund, for refunds and reimbursements of corporate filing fees and
 23 franchise taxes for the fiscal year ending June 30, 2011, the following:

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25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2010-2011</u>
27	(01) REFUNDS/REIMBURSEMENTS	<u>\$ 450,000</u>

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29 SECTION 13. APPROPRIATION - FIREFIGHTERS' MEMORIAL MONUMENT. There is
 30 hereby appropriated, to the Secretary of State, to be payable from the Fallen
 31 Firefighters' Memorial Fund, for various operating and construction expenses
 32 for the Fallen Firefighters' Memorial Monument for the fiscal year ending
 33 June 30, 2011, the following:

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35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2010-2011</u>

1 (01) VARIOUS OPERATING & CONSTRUCTION
 2 EXPENSES FOR THE FALLEN FIREFIGHTERS'
 3 MEMORIAL \$ 32,050

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 5 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 7 FORWARD. At the close of the fiscal year ending June 30, 2010, any unexpended
 8 funds provided for in Professional Fees, Capital Outlay, Mandatory
 9 Publications, Petition Verification, Publish Legal Notices, Records
 10 Management, Elections and Statewide Voter Registration System in Section 3
 11 and for Professional Fees, Capital Outlay, and Capitol Grounds Improvement
 12 and Special Maintenance in Section 6 of this Act, shall be carried forward
 13 and made available for the same purposes for the fiscal year ending June 30,
 14 2011.

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 16 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 18 REIMBURSEMENT. The Miscellaneous Revolving Fund shall be reimbursed in the
 19 manner provided by law.

20 The provisions of this section shall be in effect only from July 1,
 21 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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 23 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
 25 CAPITOL POLICE. In the event that sufficient revenues, in the judgment of
 26 the Secretary of State exist, the Secretary is hereby authorized to make
 27 additional salary payments from such funds to those employees who have
 28 attained law enforcement certification above the basic certificate level, as
 29 defined by the Arkansas Commission on Law Enforcement Standards. It is the
 30 intent of this Section that such payment shall be optional, at the discretion
 31 of the Secretary, dependent on sufficient revenues and shall not be
 32 implemented using funds specifically set aside for other programs within the
 33 Department.

34 Employees shall be eligible for all or a portion of additional salary
 35 payments scheduled as follows:

- 36 I. General Certificate - \$ 300 annually

- 1 II. Intermediate Certificate - \$ 600 annually
- 2 III. Advanced Certificate - \$ 900 annually
- 3 IV. Senior Certificate - \$ 1,200 annually

4 Payment of such funds may be made monthly, quarterly, semiannually or
 5 annually depending upon the availability of revenues and shall be restricted
 6 to the following classifications:

- 7 1. Sec. of State Capitol Police Chief
- 8 2. Sec. of State Police Sergeant
- 9 3. Sec. of State Corporal
- 10 4. Sec. of State Assistant Chief

11 Payments made under this Section which are awarded as partial or lump sum
 12 payments shall not be considered as salary for purposes of retirement
 13 benefits but shall be subject to withholding of all applicable federal and
 14 state taxes. Payments made under this Section shall not be construed as
 15 exceeding the maximum annual salary of the employee.

16 The provisions of this section shall be in effect only from July 1,
 17 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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 19 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 21 PROVISION. After receiving approval from the Chief Fiscal Officer of the
 22 State, and prior review by the Arkansas Legislative Council, the Agency is
 23 authorized to transfer appropriation from any line item authorized in Section
 24 3 Central Operations to any other line item authorized in Section 3 and the
 25 Agency is authorized to transfer appropriation from any line item authorized
 26 in Section 6 Support Operations to any other line item authorized in Section
 27 6.

28 The provisions of this section shall be in effect only from July 1, ~~2007~~ 2010
 29 through June 30, ~~2009~~ 2011.

30
 31 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 32 authorized by this act shall be limited to the appropriation for such agency
 33 and funds made available by law for the support of such appropriations; and
 34 the restrictions of the State Procurement Law, the General Accounting and
 35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by
2 the Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

4
5 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General Assembly
6 that any funds disbursed under the authority of the appropriations contained
7 in this act shall be in compliance with the stated reasons for which this act
8 was adopted, as evidenced by the Agency Requests, Executive Recommendations
9 and Legislative Recommendations contained in the budget manuals prepared by
10 the Department of Finance and Administration, letters, or summarized oral
11 testimony in the official minutes of the Arkansas Legislative Council or
12 Joint Budget Committee which relate to its passage and adoption.

13
14 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the General
15 Assembly, that the Constitution of the State of Arkansas prohibits the
16 appropriation of funds for more than a one (1) year period; that the
17 effectiveness of this Act on July 1, 2010 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the legislative session, the delay in the
20 effective date of this Act beyond July 1, 2010 could work irreparable harm
21 upon the proper administration and provision of essential governmental
22 programs. Therefore, an emergency is hereby declared to exist and this Act
23 being necessary for the immediate preservation of the public peace, health
24 and safety shall be in full force and effect from and after July 1, 2010.

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27 **APPROVED: 2/24/2010**
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