

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: S3/15/21

# A Bill

SENATE BILL 97

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF  
10 INSPECTOR GENERAL FOR THE FISCAL YEAR ENDING JUNE 30,  
11 2022; AND FOR OTHER PURPOSES.  
12

## Subtitle

13 AN ACT FOR THE DEPARTMENT OF INSPECTOR  
14 GENERAL APPROPRIATION FOR THE 2021-2022  
15 FISCAL YEAR.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby  
22 established for the Department of Inspector General for the 2021-2022 fiscal  
23 year, the following maximum number of regular employees.  
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2021-2022
29	(1)	SC009 SECRETARY OF INSPECTOR GENERAL	1	GRADE SE05
30	(2)	U125U INSPECTOR GENERAL CHIEF COUNSEL	1	GRADE SE01
31	(3)	D056C SYSTEMS COORDINATION ANALYST	1	GRADE IT05
32	(4)	N199N DIG DEPUTY ADMINISTRATOR	1	GRADE GS14
33	(5)	A115C DIG CHIEF FINANCIAL OFFICER	1	GRADE GS12
34	(6)	G249C DIG PROGRAM ADMINISTRATOR	2	GRADE GS12
35	(7)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
36	(8)	G073C ATTORNEY	1	GRADE GS10



1	(9)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
2	(10)	C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
3	(11)	A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
4	(12)	G180C GRANTS ANALYST	1	GRADE GS06
5	(13)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
6	(14)	P027C PUBLIC INFORMATION SPECIALIST	1	GRADE GS06
7	(15)	C046C LEGAL SUPPORT SPECIALIST	1	GRADE GS04
8	<del>(16)</del>	<del>C073C ADMINISTRATIVE SPECIALIST II</del>	<del>1</del>	<del>GRADE GS03</del>
9		MAX. NO. OF EMPLOYEES	17	

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11 SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is  
 12 hereby appropriated, to the Department of Inspector General, to be payable  
 13 from the paying account as determined by the Chief Fiscal Officer of the  
 14 State with transfers from the State Central Services Fund, for personal  
 15 services and operating expenses of the Department of Inspector General -  
 16 Shared Services for the fiscal year ending June 30, 2022, the following:

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18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2021-2022</u>
20	(01) REGULAR SALARIES	\$1,182,108
21	(02) PERSONAL SERVICES MATCHING	364,359
22	(03) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	194,511
24	(B) CONF. & TRAVEL	5,000
25	(C) PROF. FEES	40,000
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,785,978</u></u>

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30 SECTION 3. REGULAR SALARIES - OPERATIONS - OFFICE OF MEDICAID INSPECTOR  
 31 GENERAL. There is hereby established for the Department of Inspector General  
 32 - Office of Medicaid Inspector General for the 2021-2022 fiscal year, the  
 33 following maximum number of regular employees.

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35		Maximum Annual
36	Maximum	Salary Rate

Item	Class	No. of	Fiscal Year
No.	Code Title	Employees	2021-2022
(1)	U124U MEDICAID INSPECTOR GENERAL	1	GRADE SE03
(2)	L009C NURSE MANAGER	1	GRADE MP03
(3)	L027C REGISTERED NURSE SUPERVISOR	3	GRADE MP02
(4)	L038C REGISTERED NURSE	3	GRADE MP01
(5)	G250C DIG OPERATIONS MANAGER	2	GRADE GS11
(6)	M009C LICENSED CERTIFIED SOCIAL WORKER	1	GRADE GS09
(7)	G251C DIG PROGRAM MANAGER	1	GRADE GS08
(8)	A113C DIG SR. AUDITOR	10	GRADE GS08
(9)	A114C DIG AUDITOR	1	GRADE GS06
(10)	B076C RESEARCH PROJECT ANALYST	2	GRADE GS06
<del>(11)</del>	<del>A101C ACCOUNTING TECHNICIAN</del>	<del>1</del>	<del>GRADE GS04</del>
	MAX. NO. OF EMPLOYEES	25	

SECTION 4. EXTRA HELP - OPERATIONS - OFFICE OF MEDICAID INSPECTOR GENERAL. There is hereby authorized, for the Department of Inspector General - Office of Medicaid Inspector General for the 2021-2022 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 5. APPROPRIATION - STATE OPERATIONS - OFFICE OF MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department of Inspector General, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Inspector General - Office of Medicaid Inspector General - State Operations for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
NO.	2021-2022
(01) REGULAR SALARIES	\$521,809
(02) EXTRA HELP	4,999
(03) PERSONAL SERVICES MATCHING	176,842

1	(04) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	112,962
3	(B) CONF. & TRAVEL	900
4	(C) PROF. FEES	2,800
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$820,312</u></u>

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## 9 SECTION 6. APPROPRIATION - FEDERAL OPERATIONS - OFFICE OF MEDICAID

10 INSPECTOR GENERAL. There is hereby appropriated, to the Department of  
 11 Inspector General, to be payable from the federal funds as designated by the  
 12 Chief Fiscal Officer of the State, for personal services and operating  
 13 expenses of the Department of Inspector General - Office of Medicaid  
 14 Inspector General - Federal Operations for the fiscal year ending June 30,  
 15 2022, the following:

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17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2021-2022</u>
19	(01) REGULAR SALARIES	\$966,700
20	(02) EXTRA HELP	5,001
21	(03) PERSONAL SERVICES MATCHING	309,888
22	(04) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	134,489
24	(B) CONF. & TRAVEL	1,300
25	(C) PROF. FEES	2,800
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,420,178</u></u>

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## 30 SECTION 7. APPROPRIATION - ENTERPRISE FRAUD PROGRAM - STATE - OFFICE OF

31 MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department  
 32 of Inspector General, to be payable from the Miscellaneous Agencies Fund  
 33 Account, for personal services and operating expenses of the Enterprise Fraud  
 34 Program of the Department of Inspector General - Office of Medicaid Inspector  
 35 General - Enterprise Fraud Program - State for the fiscal year ending June  
 36 30, 2022, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) ENTERPRISE FRAUD PROGRAM	<u>\$900,000</u>

SECTION 8. APPROPRIATION - ENTERPRISE FRAUD PROGRAM - FEDERAL - OFFICE OF MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department of Inspector General, 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 Enterprise Fraud Program of the Department of Inspector General - Office of Medicaid Inspector General - Enterprise Fraud Program - Federal for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) ENTERPRISE FRAUD PROGRAM	<u>\$3,600,000</u>

SECTION 9. APPROPRIATION - CASH OPERATIONS - OFFICE OF MEDICAID INSPECTOR GENERAL. There is hereby appropriated, to the Department of Inspector General, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Inspector General - Office of Medicaid Inspector General - Cash Operations for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$136,226
(02) PERSONAL SERVICES MATCHING	41,787
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	15,645
(B) CONF. & TRAVEL	6,710
(C) PROF. FEES	1,200
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$201,568</u>

SECTION 10. REGULAR SALARIES - ARKANSAS FAIR HOUSING COMMISSION. There is hereby established for the Department of Inspector General - Arkansas Fair Housing Commission for the 2021-2022 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2021-2022
(1)	N226N ARKANSAS FAIR HOUSING EXECUTIVE DIR	<u>1</u>	GRADE GS15
	MAX. NO. OF EMPLOYEES	1	

SECTION 11. EXTRA HELP - ARKANSAS FAIR HOUSING COMMISSION. There is hereby authorized, for the Department of Inspector General - Arkansas Fair Housing Commission for the 2021-2022 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 12. APPROPRIATION - OPERATIONS - ARKANSAS FAIR HOUSING COMMISSION. There is hereby appropriated, to the Department of Inspector General, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Inspector General - Arkansas Fair Housing Commission - Operations for the fiscal year ending June 30, 2022, the following:

ITEM NO.	FISCAL YEAR 2021-2022
(01) REGULAR SALARIES	\$139,073
(02) EXTRA HELP	40,000
(03) PERSONAL SERVICES MATCHING	42,646
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	144,250

1	(B) CONF. & TRAVEL	58,000
2	(C) PROF. FEES	17,007
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	0
5	(05) PUBLIC EDUCATION	<u>899</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$441,875</u></u>

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 8 SECTION 13. APPROPRIATION - EDUCATION - TRUST - ARKANSAS FAIR HOUSING  
 9 COMMISSION. There is hereby appropriated, to the Department of Inspector  
 10 General, to be payable from the Arkansas Fair Housing Commission Trust Fund,  
 11 for operating expenses of the Department of Inspector General - Arkansas Fair  
 12 Housing Commission - Education - Trust for the fiscal year ending June 30,  
 13 2022, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2021-2022</u>
17	(01) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	\$115,000
19	(B) CONF. & TRAVEL	55,000
20	(C) PROF. FEES	0
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	<u><u>\$170,000</u></u>

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 25 SECTION 14. REGULAR SALARIES - INTERNAL AUDIT. There is hereby  
 26 established for the Department of Inspector General - Internal Audit for the  
 27 2021-2022 fiscal year, the following maximum number of regular employees.

30		Maximum	Maximum Annual
31	Item Class	No. of	Salary Rate
32	<u>No. Code Title</u>	<u>Employees</u>	<u>Fiscal Year</u>
			<u>2021-2022</u>
33	(1) N219N DFA ADMINISTRATOR-INTERNAL AUDIT	1	GRADE SE02
34	(2) A010C AGENCY CONTROLLER II	1	GRADE GS13
35	(3) A044C AUDIT COORDINATOR	4	GRADE GS10
36	(4) A081C AUDITOR	<u>1</u>	GRADE GS07

1 MAX. NO. OF EMPLOYEES 7

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3 SECTION 15. APPROPRIATION - INTERNAL AUDIT - OPERATIONS. There is  
 4 hereby appropriated, to the Department of Inspector General, to be payable  
 5 from the State Central Services Fund, for personal services and operating  
 6 expenses of the Department of Inspector General - Internal Audit - Operations  
 7 for the fiscal year ending June 30, 2022, the following:

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9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2021-2022</u>
11 (01) REGULAR SALARIES	\$573,556
12 (02) PERSONAL SERVICES MATCHING	169,546
13 (03) MAINT. & GEN. OPERATION	
14 (A) OPER. EXPENSE	51,542
15 (B) CONF. & TRAVEL	3,500
16 (C) PROF. FEES	20,000
17 (D) CAP. OUTLAY	0
18 (E) DATA PROC.	0
19 (04) DATA PROCESSING SERVICES	<u>70,000</u>
20 TOTAL AMOUNT APPROPRIATED	<u><u>\$888,144</u></u>

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22 SECTION 16. REGULAR SALARIES - INVESTIGATIONS. There is hereby  
 23 established for the Department of Inspector General - Investigations for the  
 24 2021-2022 fiscal year, the following maximum number of regular employees.

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26	Maximum Annual
27	Maximum Salary Rate
28 Item Class	Fiscal Year
29 <u>No. Code Title</u>	<u>2021-2022</u>
30 (1) X112C AFHC CHIEF INVESTIGATOR	1 GRADE GS07
31 (2) X200C MEDICAID FRAUD INVESTIGATOR	1 GRADE GS07
32 (3) X150C AFHC INVESTIGATOR	<u>5</u> GRADE GS06
33 MAX. NO. OF EMPLOYEES	7

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35 SECTION 17. APPROPRIATION - INVESTIGATIONS - OPERATIONS. There is  
 36 hereby appropriated, to the Department of Inspector General, to be payable



1 from the paying account as determined by the Chief Fiscal Officer of the  
2 State, for personal services and operating expenses of the Department of  
3 Inspector General - Investigations - Operations for the fiscal year ending  
4 June 30, 2022, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2021-2022</u>
8 (01) REGULAR SALARIES	\$296,813
9 (02) PERSONAL SERVICES MATCHING	105,977
10 (03) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	2,812
12 (B) CONF. & TRAVEL	0
13 (C) PROF. FEES	0
14 (D) CAP. OUTLAY	0
15 (E) DATA PROC.	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$405,602</u></u>

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18 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED  
20 SERVICES.

21 (a)(1)(A) The Chief Fiscal Officer of the State may create paying  
22 accounts on his or her books and on the books of the Treasurer of State and  
23 the Auditor of State for the payment of personal services and operating  
24 expenses by the Department of Inspector General.

25 (B) Upon prior approval of the Arkansas Legislative Council, or  
26 if meeting in Legislative Session the Joint Budget Committee, the Chief  
27 Fiscal Officer of the State shall direct the transfer of funds and  
28 appropriations to the Shared Services Paying Account appropriation section of  
29 this act and the transfer of positions to the Regular Salaries – Shared  
30 Services appropriation section of this act on the books of the Treasurer of  
31 State, the Auditor of State, and the Chief Fiscal Officer of the State.

32 (2) The transfer authority provided in subdivision (a)(1) of  
33 this section for efficiencies and to eliminate duplication of services are  
34 limited only to those services that are provided for multiple divisions of a  
35 department, including without limitation to administration, human resources,  
36 procurement, communications, fleet operations, and information services.

1           (3) The transfer authority provided to the department in  
2 subdivision (a)(1) of this section may be used to make transfers only within  
3 the department's appropriation act or between other appropriation acts  
4 authorized for the department.

5           (b)(1) Each department utilizing the Shared Services Paying Account  
6 section or Regular Salaries – Shared Services section of this act shall  
7 submit a report to be included in the Budget Manuals for hearings, conducted  
8 by the General Assembly, listing all shared services transfers of positions,  
9 funds, and appropriation under this section, which shall be submitted as  
10 instructed by the Department of Finance and Administration - Office of Budget  
11 for uniformity.

12           (2) A report submitted under subdivision (b)(1) of this section  
13 shall include the following:

14                   (A) The position number, authorized position title, class  
15 code, grade, business area, and name of the division, section, or unit for  
16 the position being transferred to the Regular Salaries – Shared Services  
17 section of this act; and

18                   (B) The fund center, appropriation, appropriation amount,  
19 commitment item or items, business area, and name of the division, section,  
20 or unit for the fund or appropriation being transferred to the Shared  
21 Services Paying Account.

22           (c)(1) It is the intent of the Ninety-Second General Assembly that the  
23 authority under this section to transfer positions is intended for use for  
24 the time period prior to Fiscal Year ~~2022~~ 2023 to allow cabinet-level  
25 departments to establish a centralized Regular Salaries - Shared Services  
26 section, with the recommendation that the position transfer authority granted  
27 under this section be discontinued after that time.

28           (2) The Bureau of Legislative Research shall bring the  
29 recommendation in subdivision (c)(1) of this section to the attention of the  
30 chairs conducting the ~~2021~~ 2022 ~~Regular~~ Fiscal Session pre-session budget  
31 hearings, the chairs of the Special Language Subcommittee, and the members of  
32 the Special Language Subcommittee during pre-session budget hearings.

33           (d) Determining the maximum number of employees and the maximum amount  
34 of appropriation and general revenue funding for a cabinet-level department  
35 each fiscal year is the prerogative of the General Assembly and is usually  
36 accomplished by delineating the maximums in the appropriation act or acts and

1 establishing authorized positions and the general revenue allocations  
2 authorized for each fund and fund account by amendment to the Revenue  
3 Stabilization Law. Further, the General Assembly has determined that the  
4 cabinet-level departments created under Acts 2019, No. 910, may operate more  
5 efficiently if some flexibility is provided as authorized under this section.  
6 Therefore, it is both necessary and appropriate that the General Assembly  
7 maintain oversight by requiring prior approval of the Legislative Council or,  
8 if the General Assembly is in session, the Joint Budget Committee, as  
9 provided by this section. The requirement of approval by the Legislative  
10 Council or Joint Budget Committee is not a severable part of this section.  
11 If the requirement of approval by the Legislative Council or Joint Budget  
12 Committee is ruled unconstitutional by a court of competent jurisdiction,  
13 this entire section is void.

14 (e) The provisions of this section shall be in effect from the date of  
15 passage through June 30, ~~2021~~ 2022.

16  
17 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
19 FAIR HOUSING COMMISSION PROMOTIONAL ITEMS. Upon approval of the Chief Fiscal  
20 Officer of the State, the Arkansas Fair Housing Commission is hereby  
21 authorized to transfer appropriation from Operating Expenses to Promotional  
22 Items in the Education Trust Appropriation provided by this Act in an amount  
23 not to exceed eight thousand dollars (\$8,000) each fiscal year to meet the  
24 Commission's educational needs.

25 The provisions of this section shall be in effect only from July 1, ~~2020~~  
26 2021 through June 30, ~~2021~~ 2022.

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28 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
29 authorized by this act shall be limited to the appropriation for such agency  
30 and funds made available by law for the support of such appropriations; and  
31 the restrictions of the State Procurement Law, the General Accounting and  
32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
33 Procedures and Restrictions Act, or their successors, and other fiscal  
34 control laws of this State, where applicable, and regulations promulgated by  
35 the Department of Finance and Administration, as authorized by law, shall be  
36 strictly complied with in disbursement of said funds.

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

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11 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the  
12 General Assembly, that the Constitution of the State of Arkansas prohibits  
13 the appropriation of funds for more than a one (1) year period; that the  
14 effectiveness of this Act on July 1, 2021 is essential to the operation of  
15 the agency for which the appropriations in this Act are provided, and that in  
16 the event of an extension of the legislative session, the delay in the  
17 effective date of this Act beyond July 1, 2021 could work irreparable harm  
18 upon the proper administration and provision of essential governmental  
19 programs. Therefore, an emergency is hereby declared to exist and this Act  
20 being necessary for the immediate preservation of the public peace, health  
21 and safety shall be in full force and effect from and after July 1, 2021.

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24 /s/Joint Budget Committee

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27 APPROVED: 4/1/21  
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