

Enabling Laws

Act 421 of 2005
Act 2312 of 2005
A.C.A. §25-16-701 et seq.
A.C.A. §04-88-101 et seq.
A.C.A. §05-55-101 et seq.
A.C.A. §16-90-706 et seq.
A.C.A. §23-04-301 et seq.
A.C.A. §04-111-101 et seq.
Constitution of Arkansas, Article 6
Constitution of Arkansas, Amendment 63

History and Organization

The Office of Attorney General in Arkansas was established by Article 6, Section 1 of the Arkansas Constitution of 1874, which section has been likely superseded by Amendment 63, Section 1. It reads, in applicable part, as follows:

“The Executive Department of this state shall consist of a(n) ... Attorney General, . . . all of whom shall keep their offices at the seat of Government and hold their offices for the term of four years and until their successors are elected and qualified.”

Article 6, Section 3 of the Constitution provides that the Attorney General is elected by the qualified electors of the state at large at the general elections. The salary for the office is established by Amendment 70, Sections 1 and 3.

The only constitutional or statutory qualification for holding the office of Attorney General is that of Article 19, Section 3 and 4, Constitution of Arkansas, which requires all state officers to possess the qualifications of electors and requires officers for the state at large to reside within the state.

The statutory subchapter setting forth the fundamental duties for the Attorney General is found at A.C.A. §25-16-701 et seq. The primary responsibilities created therein are set forth below.

A.C.A. §25-16-702 provides as follows: "The Attorney General shall be the attorney for all state officials, departments, institutions and agencies. Whenever any officer or department, institution, or agency of the state needs the services of an attorney, the matter shall be certified to the Attorney General for attention."

Section 702 also provided that the Attorney General shall have the authority to initiate civil lawsuits under all environmental protection statutes.

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A.C.A. §25-16-703 provides that the Attorney General shall maintain and defend the interest of the state in the federal courts and that he or she shall be the legal representative of all state parties in litigation where the interests of the state are involved.

A.C.A. §25-16-704 provides that the Attorney General will attend and defend the state before the Supreme Court.

A.C.A. §25-16-706 provides that the Attorney General will, upon request, give his opinion to the Governor and heads of executive departments on any constitutional or legal questions concerning the official actions of such officers. The Attorney General is also authorized to give his opinion on certain legal matters to prosecuting attorneys, members of the General Assembly, county commissions and all state boards and commissions.

A.C.A. §25-16-709 empowers the Attorney General to bring suit against state officials who have collected or received state monies and not accounted for them according to the law.

In Addition to the fundamental duties of the Attorney General set forth at A.C.A §25-16-701 et. seq., additional statutory duties have been prescribed for the office over the years. The most significant of these are set forth below.

Consumer Protection. The Attorney General is charged with enforcing the “Deceptive Trade Practices Act,” A.C.A §4-88-101 et seq. This act creates the Consumer Protection Division, and authorizes that division to conduct investigation, promote consumer education, and bring lawsuits to enforce the provisions of the law. The division is also charged with registration of charities and professional fundraisers by A.C.A. §4-28-401 et seq.

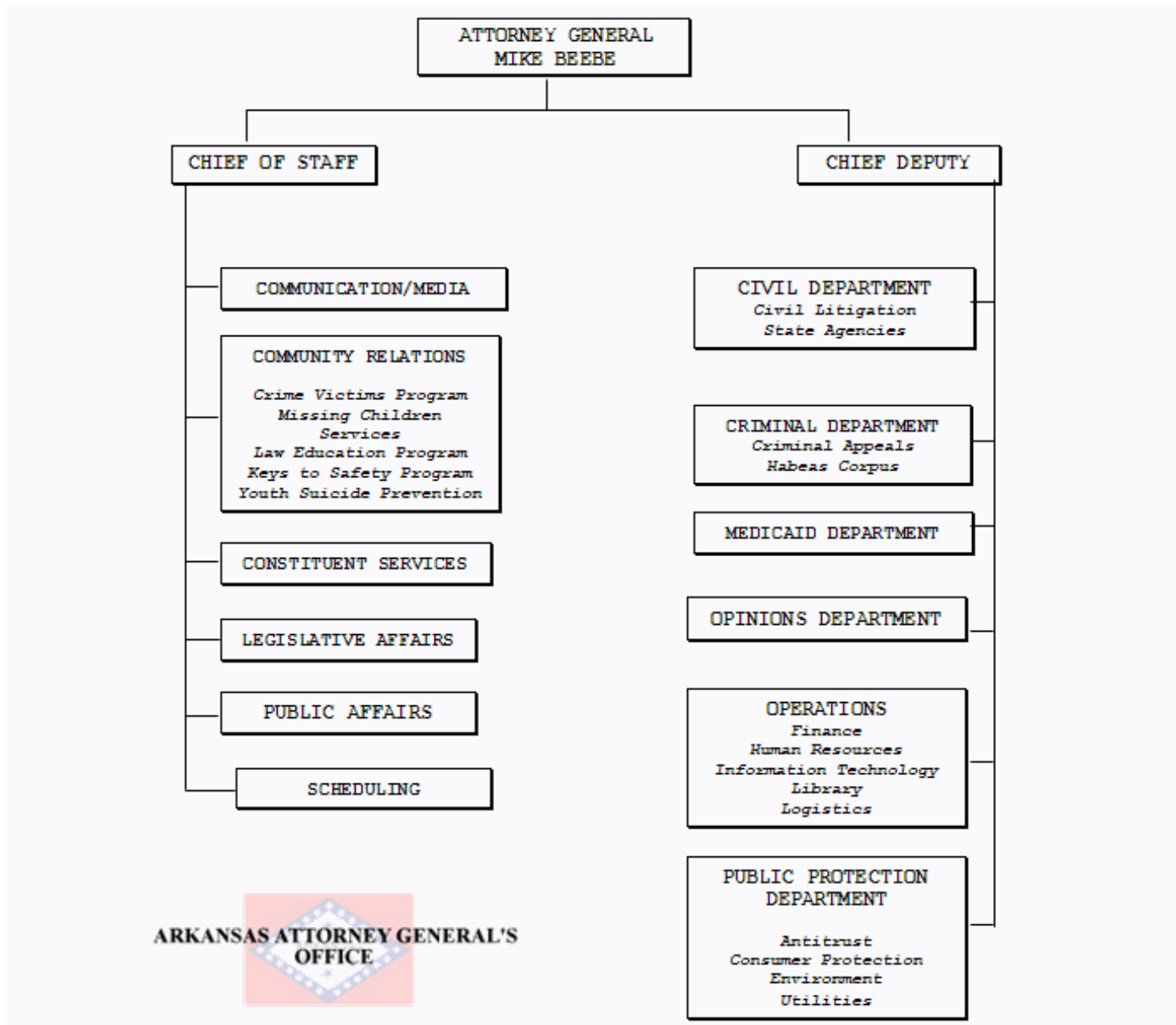
Medicaid Fraud. A.C.A. §5-55-101 et seq. provides that the Office of Attorney General will investigate and bring cases regarding abuse, exploitation or neglect of nursing home residents and fraud against the Medicaid Program. The Office is also empowered under federal and state law to conduct criminal investigations and refer cases for prosecution. The Attorney General’s staff may also be deputized by a prosecuting attorney and conduct prosecutions.

Crime Victims Reparations. The Crime Victims Reparations Board was created by A.C.A. §16-90-710 et seq. and A.C.A. §16-90-706 provides that the Attorney General provide necessary office space, support staff and secretarial services to the Board for the administration of their statutory responsibilities.

Public Utilities. A.C.A. §23-4-301 et seq. creates a division within the office called the Consumer Utilities Rate Advocacy Division. This division is charged with representing the state, its subdivisions and ratepayers in state and federal proceedings related to utility matters.

An organization chart which reflects the structure of the Office of Attorney General is attached hereto.

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Agency Commentary

The Office of the Attorney General is the statutory legal counsel for the State's officials, departments, institutions and agencies. This Office also has the responsibility to administer the Crime Victims Reparation Program and protect the environment as well as the consumers of Arkansas. Statutory obligations are carried out through the following functions:

- | | | |
|-------------------------|------------------------|----------------------------------|
| 1) Communication/Media | 5) Public Affairs | 9) Medicaid Fraud Department |
| 2) Community Relations | 6) Scheduling | 10) Opinions Department |
| 3) Constituent Services | 7) Civil Department | 11) Operations |
| 4) Legislative Affairs | 8) Criminal Department | 12) Public Protection Department |

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BASE LEVEL:

In the area of Personal Services, the Office of the Attorney General's interim Base Level request (subject to revision by the incoming Attorney General) is for funding of all authorized positions at FY 07 levels including 3% cost of living increases and related Personal Service Matching costs. Such funding will permit the Office to maintain normal operations.

For all other line items in all appropriations for which continuation into the new biennium is requested, the Office of the Attorney General respectfully requests appropriations at the full FY 2007 level, with minor exceptions justified below under the change level requests.

CHANGE LEVEL REQUESTS:

The Office of the Attorney General (Appropriation 004), funded through State Central Services Fund, is utilized to operate Communication/Media, Community Relations, Constituent Services, Legislative Affairs, Public Affairs, Scheduling, Civil, Criminal, Opinions, Operations and Public Protection functions.

The Operating Expenses line item has been modestly increased to reflect increases in costs for items such as computer lines, gasoline and supplies. We are also requesting minimal increases in the Conference Fees and Travel line item due to the rising cost of transportation and seminar fees. In addition, we are requesting additional appropriation in the Professional Fees and Services line item as costs for expert witness fees continue to rise.

The Office of the Attorney General is requesting \$95,800 of appropriation to our Capital Outlay Line item in FY 2008 and \$98,000 in FY 2009. These funds are needed to replace equipment that becomes obsolete or equipment that is expensive to maintain as well as replacement of vehicles in our fleet.

The Medicaid Department of the Office receives federal funds from the United States Department of Health and Human Services. Medicaid requirements are comprised of the Federal Program (Appropriation 188) and State Program (Appropriation 189). The Federal Program pays 75% of total costs and the State Program pays the remaining 25% of total costs as match on the Federal dollars. The office is requesting a minimal increase in Operating Expenses, Professional Fees and Services, and Conference Fees and Travel to reflect increases in costs for items such as gasoline, conference fees and expert witness fees. The office is also requesting that the Capital Outlay line item be restored with minor increases to allow for the replacement of vehicles in the fleet as well as obsolete equipment.

Medicaid - Indirect Costs (Appropriation 1PF), we receive Federal funds to cover indirect costs from the United States Department of Health and Human Services. The office is requesting that total appropriation for this fund be retained at the FY 2007 authorized level for each year of the Biennium.

The Crime Victims Reparation Program receives federal funds from the United States Department of Justice. The Federal Program (Appropriation 1PH) funds approximately 40% of the total costs for the Crime Victims Program. The State Program (Appropriation 1PE), funded by the State Office of Administrative Justice, is responsible for the remaining 60% of the costs for operation of this program. A minimal increase is requested in the Operating Expenses, Conference Fees and Travel, as

well as Professional Fees due to the **REPLACEMENT PAGES** as gasoline, common carrier and legal fees.

The Office of the Attorney General interim request (subject to revision by the incoming Attorney General) is for \$200,000 to fund the Spyware Monitoring Program. We are requesting \$100,000 in appropriation for fund SSM0000 and \$100,000 from the General Revenue Fund. Spyware is software that can track or collect the online activities or personal information of Web users, change settings on users computers, or cause advertising messages to pop up on users' computer screens. The unauthorized installation of spyware is not only inconvenient, it can cause extensive damage to the technological equipment involved, loss of valuable information and work product, and theft of personal information.

Act 2255 of 2005, otherwise known as the Consumer Protection Against Computer Spyware Act, contains prohibitions against the installation of unauthorized spyware on the computers owned and operated by the consumers of Arkansas. The Arkansas Attorney General's Office is charged with the enforcement of the Act. In order to provide effective enforcement it is necessary that funds be appropriated to train personnel in the intricacies of spyware enforcement as well as cover the costs of bringing these highly specialized enforcement actions.

Each request in this budget is submitted in order that the Office of the Attorney General may continue to safeguard the interests of the citizens of Arkansas and to fulfill the statutory responsibilities of this Office by performing the legal actions of our state government.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
OFFICE OF THE ATTORNEY GENERAL
FOR THE YEAR ENDED JUNE 30, 2005

Findings	Recommendations
None	None

Employment Summary

	Male	Female	Total	%
White Employees	45	59	104	70 %
Black Employees	6	32	38	26 %
Other Racial Minorities	2	5	7	4 %
Total Minorities			45	30 %
Total Employees			149	100 %

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Publications

A.C.A 25-1-204

Name	Statutory Authorization	Required for		# Of Copies	Reason (s) for Continued Publication and Distribution
		Governor	General Assembly		
Lemon Law Books	Act 1313 of 2001	N	N	135,000	Required by Statutes to provide booklets to automobile dealers for every vehicle sold explaining the State's Lemon Law
Model Rules and Regulations for State Agencies	A.C.A. §25-15-215	N	N	250	Required by Statutes to provide model rules for each state agency

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Department Appropriation Summary

Historical Data

Agency Request and Executive Recommendation

Appropriation	2005-2006		2006-2007		2006-2007		2007-2008				2008-2009			
	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
004 Attorney General - Administration	8,918,214	120	10,637,235	120	10,545,385	120	10,993,848	120	0	0	11,308,323	120	0	0
188 Medicaid Fraud - Federal	1,181,002	17	1,500,022	17	1,484,571	17	1,548,081	17	0	0	1,591,338	17	0	0
189 Medicaid Fraud - State	435,278	5	491,469	5	486,263	5	507,089	5	0	0	521,611	5	0	0
1PE Victims Reparations Program	2,567,745	8	3,804,104	8	3,798,543	8	3,822,161	8	0	0	3,837,775	8	0	0
1PF Medicaid Fraud - Indirect Costs	173,543	0	290,000	0	290,000	0	290,000	0	0	0	290,000	0	0	0
1PH Victims Reparations - Federal	1,328,221	1	1,477,866	1	1,477,423	1	1,479,234	1	0	0	1,480,263	1	0	0
2YK Spyware Monitoring	0	0	0	0	100,000	0	100,000	0	0	0	0	0	0	0
2YM Spyware Monitoring-State	0	0	0	0	100,000	0	100,000	0	100,000	0	0	0	0	0
NOT REQUESTED FOR THE BIENNIUM														
4GS Child Internet Crime	22,533	0	52,467	0	0	0	0	0	0	0	0	0	0	0
Total	14,626,536	151	18,253,163	151	18,282,185	151	18,840,413	151	0	0	19,029,310	151	0	0

Funding Sources		%		%		%		%		%		%
Fund Balance 4000005	3,067,277	16.8	3,668,437	17.3	3,009,056	14.2	0	0.0	2,334,419	11.3	0	0.0
General Revenue 4000010	0	0.0	0	0.0	100,000	0.5	100,000	0.5	0	0.0	0	0.0
Federal Revenue 4000020	2,705,299	14.8	3,320,355	15.6	3,317,315	15.7	0	0.0	3,361,601	16.3	0	0.0
Special Revenue 4000030	79,182	0.4	55,000	0.3	157,801	0.7	0	0.0	60,699	0.3	0	0.0
State Central Services 4000035	9,353,492	51.1	11,128,704	52.3	11,500,937	54.3	0	0.0	11,829,934	57.2	0	0.0
State Administration of Justice 4000470	3,089,723	16.9	3,089,723	14.5	3,089,723	14.6	0	0.0	3,089,723	14.9	0	0.0
Total Funds	18,294,973	100.0	21,262,219	100.0	21,174,832	100.0	0	0.0	20,676,376	100.0	0	0.0
Excess Appropriation/(Funding)	(3,668,437)		(3,009,056)		(2,334,419)		0		(1,647,066)		0	
Grand Total	14,626,536		18,253,163		18,840,413		100,000	0.5	19,029,310		0	

No Executive Recommendation made on these Appropriations except 2YM.

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Agency Position Usage Report

FY2004-2005						FY2005-2006						FY2006-2007					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Total	Total	Total	Total			Total				
147	141	6	147	0	4.08%	151	141	10	151	0	6.62%	151	149	2	151	0	1.32%

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Appropriation Summary

Appropriation: 004 Attorney General - Administration
Funding Sources: HSC - State Central Services

Commitment Item	Historical Data			Agency Request and Executive Recommendation					
	2005-2006 Actual	2006-2007 Budget	2006-2007 Authorized	2007-2008			2008-2009		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	5,966,944	6,792,631	6,792,631	6,996,360	6,996,360	0	7,206,188	7,206,188	0
#Positions	120	120	120	120	120	0	120	120	0
Extra Help 5010001	13,994	36,000	36,000	36,000	36,000	0	36,000	36,000	0
#Extra Help	6	8	8	8	8	0	8	8	0
Personal Services Matching 5010003	1,654,173	1,840,393	1,748,543	1,936,193	1,936,193	0	1,979,064	1,979,064	0
Operating Expenses 5020002	1,048,078	1,606,910	1,606,910	1,606,910	1,654,865	0	1,606,910	1,704,698	0
Conference & Travel Expenses 5050009	56,875	91,800	91,800	91,800	94,530	0	91,800	96,873	0
Professional Fees 5060010	89,800	176,501	176,501	176,501	180,100	0	176,501	187,500	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	88,350	93,000	93,000	0	95,800	0	0	98,000	0
Total	8,918,214	10,637,235	10,545,385	10,843,764	10,993,848	0	11,096,463	11,308,323	0
Funding Sources									
State Central Services 4000035	8,918,214	10,637,235		10,843,764	10,993,848	0	11,096,463	11,308,323	0
Total Funding	8,918,214	10,637,235		10,843,764	10,993,848	0	11,096,463	11,308,323	0
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	8,918,214	10,637,235		10,843,764	10,993,848	0	11,096,463	11,308,323	0

The FY07 Budgeted amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2005-2007 biennium.

Change Level by Appropriation**REPLACEMENT PAGES****Appropriation:**

004-Attorney General - Administration

Funding Sources:

HSC - State Central Services

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	10,843,764	120	10,843,764	100.0	11,096,463	120	11,096,463	100.0
C01	Existing Program	541,736	0	11,385,500	105.0	594,589	0	11,691,052	105.3
C03	Discontinue Program	(391,652)	0	10,993,848	101.3	(382,729)	0	11,308,323	101.9

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Appropriation Summary

Appropriation: 188 Medicaid Fraud - Federal
Funding Sources: FAY - Medicaid Operations Federal

Commitment Item	Historical Data			Agency Request and Executive Recommendation					
	2005-2006 Actual	2006-2007 Budget	2006-2007 Authorized	2007-2008			2008-2009		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	848,548	953,000	953,000	981,581	981,581	0	1,011,022	1,011,022	0
#Positions	17	17	17	17	17	0	17	17	0
Extra Help 5010001	19,827	25,000	25,000	25,000	25,000	0	25,000	25,000	0
#Extra Help	2	2	2	2	2	0	2	2	0
Personal Services Matching 5010003	236,122	261,822	246,371	273,909	273,909	0	279,925	279,925	0
Operating Expenses 5020002	38,928	179,900	179,900	179,900	185,291	0	179,900	190,841	0
Conference & Travel Expenses 5050009	12,574	33,100	33,100	33,100	34,000	0	33,100	35,100	0
Professional Fees 5060010	6,257	22,200	22,200	22,200	22,800	0	22,200	23,450	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	18,746	25,000	25,000	0	25,500	0	0	26,000	0
Total	1,181,002	1,500,022	1,484,571	1,515,690	1,548,081	0	1,551,147	1,591,338	0
Funding Sources									
Federal Revenue 4000020	1,181,002	1,500,022		1,515,690	1,548,081	0	1,551,147	1,591,338	0
Total Funding	1,181,002	1,500,022		1,515,690	1,548,081	0	1,551,147	1,591,338	0
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	1,181,002	1,500,022		1,515,690	1,548,081	0	1,551,147	1,591,338	0

The FY07 Budgeted amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2005-2007 biennium.

Change Level by Appropriation

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Appropriation: 188-Medicaid Fraud - Federal

Funding Sources: FAY - Medicaid Operations Federal

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	1,515,690	17	1,515,690	100.0	1,551,147	17	1,551,147	100.0
C01	Existing Program	115,997	0	1,631,687	107.6	122,201	0	1,673,348	107.8
C03	Discontinue Program	(83,606)	0	1,548,081	102.1	(82,010)	0	1,591,338	102.5

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Appropriation Summary

Appropriation: 189 Medicaid Fraud - State
Funding Sources: HSC - State Central Services

Commitment Item	Historical Data			Agency Request and Executive Recommendation					
	2005-2006 Actual	2006-2007 Budget	2006-2007 Authorized	2007-2008			2008-2009		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	278,487	320,449	320,449	330,059	330,059	0	339,957	339,957	0
#Positions	5	5	5	5	5	0	5	5	0
Personal Services Matching 5010003	74,314	84,650	79,444	88,431	88,431	0	90,454	90,454	0
Operating Expenses 5020002	59,735	61,470	61,470	61,470	63,300	0	61,470	65,200	0
Conference & Travel Expenses 5050009	10,233	10,900	10,900	10,900	11,199	0	10,900	11,500	0
Professional Fees 5060010	7,181	7,400	7,400	7,400	7,400	0	7,400	7,500	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	5,328	6,600	6,600	0	6,700	0	0	7,000	0
Total	435,278	491,469	486,263	498,260	507,089	0	510,181	521,611	0
Funding Sources									
State Central Services 4000035	435,278	491,469		498,260	507,089	0	510,181	521,611	0
Total Funding	435,278	491,469		498,260	507,089	0	510,181	521,611	0
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	435,278	491,469		498,260	507,089	0	510,181	521,611	0

The FY07 Budgeted amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2005-2007 biennium.

Change Level by Appropriation

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Appropriation: 189-Medicaid Fraud - State

Funding Sources: HSC - State Central Services

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	498,260	5	498,260	100.0	510,181	5	510,181	100.0
C01	Existing Program	38,296	0	536,556	107.6	39,963	0	550,144	107.8
C03	Discontinue Program	(29,467)	0	507,089	101.7	(28,533)	0	521,611	102.2

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Appropriation Summary

Appropriation: 1PE Victims Reparations Program
Funding Sources: TCR - Crime Victims Revolving Fund

Commitment Item	Historical Data			Agency Request and Executive Recommendation					
	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	260,556	341,826	341,826	352,080	352,080	0	362,638	362,638	0
#Positions	8	8	8	8	8	0	8	8	0
Extra Help 5010001	1,700	10,000	10,000	10,000	10,000	0	10,000	10,000	0
#Extra Help	1	2	2	2	2	0	2	2	0
Personal Services Matching 5010003	75,150	101,317	95,756	106,319	106,319	0	108,477	108,477	0
Operating Expenses 5020002	55,970	71,700	71,700	71,700	73,801	0	71,700	75,999	0
Conference & Travel Expenses 5050009	4,919	15,200	15,200	15,200	15,600	0	15,200	16,000	0
Professional Fees 5060010	2,352	10,000	10,000	10,000	10,300	0	10,000	10,600	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Claims 5110015	2,167,098	3,254,061	3,254,061	3,254,061	3,254,061	0	3,254,061	3,254,061	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Total	2,567,745	3,804,104	3,798,543	3,819,360	3,822,161	0	3,832,076	3,837,775	0
Funding Sources									
Fund Balance 4000005	3,067,277	3,668,437		3,009,056	3,009,056	0	2,334,419	2,334,419	0
Special Revenue 4000030	79,182	55,000		55,000	57,801	0	55,000	60,699	0
State Administration of Justice 4000470	3,089,723	3,089,723		3,089,723	3,089,723	0	3,089,723	3,089,723	0
Total Funding	6,236,182	6,813,160		6,153,779	6,156,580	0	5,479,142	5,484,841	0
Excess Appropriation/(Funding)	(3,668,437)	(3,009,056)		(2,334,419)	(2,334,419)	0	(1,647,066)	(1,647,066)	0
Grand Total	2,567,745	3,804,104		3,819,360	3,822,161	0	3,832,076	3,837,775	0

The FY07 Budgeted amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2005-2007 biennium.

Change Level by Appropriation

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Appropriation:

1PE-Victims Reparations Program

Funding Sources:

TCR - Crime Victims Revolving Fund

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	3,819,360	8	3,819,360	100.0	3,832,076	8	3,832,076	100.0
C01	Existing Program	19,304	0	3,838,664	100.5	21,583	0	3,853,659	100.5
C03	Discontinue Program	(16,503)	0	3,822,161	100.0	(15,884)	0	3,837,775	100.1

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Appropriation Summary

Appropriation: 1PF Medicaid Fraud - Indirect Costs
Funding Sources: FAY - Medicaid Indirect Costs Federal

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses 5020002	173,543	175,000	175,000	175,000	215,000	0	175,000	215,000	0
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0	0	0
Professional Fees 5060010	0	90,000	90,000	90,000	50,000	0	90,000	50,000	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	0	25,000	25,000	0	25,000	0	0	25,000	0
Total	173,543	290,000	290,000	265,000	290,000	0	265,000	290,000	0
Funding Sources									
Federal Revenue 4000020	173,543	290,000		265,000	290,000	0	265,000	290,000	0
Total Funding	173,543	290,000		265,000	290,000	0	265,000	290,000	0
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	173,543	290,000		265,000	290,000	0	265,000	290,000	0

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Appropriation Summary

Appropriation: 1PH Victims Reparations - Federal
Funding Sources: FAY - Crime Victims Reparation Program Federal

Commitment Item	Historical Data			Agency Request and Executive Recommendation					
	2005-2006 Actual	2006-2007 Budget	2006-2007 Authorized	2007-2008			2008-2009		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	24,190	27,680	27,680	28,510	28,510	0	29,365	29,365	0
#Positions	1	1	1	1	1	0	1	1	0
Personal Services Matching 5010003	8,728	9,487	9,044	10,025	10,025	0	10,199	10,199	0
Operating Expenses 5020002	76	26,900	26,900	26,900	26,900	0	26,900	26,900	0
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0	0	0
Professional Fees 5060010	0	0	0	0	0	0	0	0	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Claims 5110015	1,295,227	1,413,799	1,413,799	1,413,799	1,413,799	0	1,413,799	1,413,799	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Total	1,328,221	1,477,866	1,477,423	1,479,234	1,479,234	0	1,480,263	1,480,263	0
Funding Sources									
Federal Revenue 4000020	1,328,221	1,477,866		1,479,234	1,479,234	0	1,480,263	1,480,263	0
Total Funding	1,328,221	1,477,866		1,479,234	1,479,234	0	1,480,263	1,480,263	0
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	1,328,221	1,477,866		1,479,234	1,479,234	0	1,480,263	1,480,263	0

The FY07 Budgeted amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2005-2007 biennium.

REPLACEMENT PAGES

Appropriation Summary

Appropriation: 2YK Spyware Monitoring
Funding Sources: SSM - Spyware Monitoring Fund

Commitment Item	Historical Data			Agency Request and Executive Recommendation					
	2005-2006 Actual	2006-2007 Budget	2006-2007 Authorized	2007-2008			2008-2009		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Spyware Monitoring 5900046	0	0	100,000	0	100,000	0	0	0	0
Total	0	0	100,000	0	100,000	0	0	0	0
Funding Sources									
Special Revenue 4000030	0	0		0	100,000	0	0	0	0
Total Funding	0	0		0	100,000	0	0	0	0
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	0	0		0	100,000	0	0	0	0

Agency is requesting a biennial appropriation with carry forward provisions.

REPLACEMENT PAGES

Analysis of Budget Request

Appropriation: 2YM - Spyware Monitoring-State

Funding Sources: HUA - Miscellaneous Agencies Fund

Act 2255 of 2005, The Consumer Protection Against Computer Spyware Act established the Spyware Monitoring Program to be enforced by the Attorney General's Office. This program safeguards Arkansas consumers from the unauthorized installation of spyware. Spyware is software that causes unwanted advertising pop-ups, collects personal information and changes the configurations of your computer without your consent.

The Agency is requesting a biennial appropriation funded by general revenue in the amount of \$100,000.

The Executive Recommendation provides for the Agency Request.

REPLACEMENT PAGES

Appropriation Summary

Appropriation: 2YM Spyware Monitoring-State
Funding Sources: HUA - Miscellaneous Agencies Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Spyware Monitoring-State 5900046	0	0	100,000	0	100,000	100,000	0	0	0
Total	0	0	100,000	0	100,000	100,000	0	0	0
Funding Sources									
General Revenue 4000010	0	0		0	100,000	100,000	0	0	0
Total Funding	0	0		0	100,000	100,000	0	0	0
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	0	0		0	100,000	100,000	0	0	0

Agency is requesting a biennial appropriation with carry forward provisions.

Change Level by Appropriation REPLACEMENT PAGES

Appropriation: 2YM-Spyware Monitoring-State
Funding Sources: HUA - Miscellaneous Agencies Fund

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
C01	Existing Program	100,000	0	100,000	100.0	0	0	0	x

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
C01	Existing Program	100,000	0	100,000	100.0	0	0	0	100.0

Justification

C01	This is a \$100,000 biennial appropriation for the Spyware Monitoring Program established by Act 2255 of 2005, the Consumer Protection Against Computer Spyware Act. This safeguards Arkansas consumers from the unauthorized installation of computer spyware.								
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REPLACEMENT PAGES

Appropriation Summary

Appropriation: 4GS Child Internet Crime
Funding Sources: FAY - Internet Crimes Against Children Task Force - Federal

Commitment Item	Historical Data			Agency Request and Executive Recommendation					
	2005-2006 Actual	2006-2007 Budget	2006-2007 Authorized	2007-2008			2008-2009		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses 5020002	22,468	41,842	0	0	0	0	0	0	0
Conference & Travel Expenses 5050009	0	7,800	0	0	0	0	0	0	0
Professional Fees 5060010	65	2,825	0	0	0	0	0	0	0
Total	22,533	52,467	0	0	0	0	0	0	0
Funding Sources									
Federal Revenue 4000020	22,533	52,467		0	0	0	0	0	0
Total Funding	22,533	52,467		0	0	0	0	0	0
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	22,533	52,467		0	0	0	0	0	0

THIS APPROPRIATION IS NOT REQUESTED FOR THE NEW BIENNIUM.