

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.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H2/2/01

A Bill

HOUSE BILL 1469

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION
11 - ARKANSAS SCHOOL FOR THE DEAF FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 ARKANSAS SCHOOL FOR THE DEAF
17 APPROPRIATION FOR THE 2001-2003
18 BIENNIAL PERIOD.
19
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Education - Arkansas School for the Deaf for the 2001-2003
26 biennium, the following maximum number of regular employees whose salaries
27 shall be governed by the provisions of the Uniform Classification and
28 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
29 laws amendatory thereto. Provided, however, that any position to which a
30 specific maximum annual salary is set out herein in dollars, shall be exempt
31 from the provisions of said Uniform Classification and Compensation Act. All
32 persons occupying positions authorized herein are hereby governed by the
33 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
34 Code §21-5-101), or its successor.
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36

Maximum Annual

1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2001-2002	2002-2003
4	(1)	9949	ED SUPT DEAF SCHOOL	1	\$72,072	\$73,945
5	(2)	026Z	ASD/ASB BUSINESS MANAGER	1	GRADE 26	
6	(3)	990Z	ED COORD STUDENT ASSESSMENT PROGRAM	1	GRADE 23	
7	(4)	E015	ED SCHOOL PRINCIPAL	2	GRADE 23	
8	(5)	M122	EVAL/ADMINISTRATIONS/HLTH SVCS MGR	1	GRADE 23	
9	(6)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE 22	
10	(7)	E057	TEACHER F/T SENSORY IMPAIRED SUPV	1	GRADE 22	
11	(8)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21	
12	(9)	E028	ED PROGRAM ADMINISTRATOR	1	GRADE 21	
13	(10)	L122	PSYCHOLOGICAL EXAMINER II	2	GRADE 21	
14	(11)	M028	COUNSELOR II	2	GRADE 20	
15	(12)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
16	(13)	L140	SPEECH PATHOLOGIST II	5	GRADE 20	
17	(14)	L008	SR AUDIOLOGIST	3	GRADE 20	
18	(15)	E077	TEACHER F/T SENSORY IMPAIRED IV	13	GRADE 20	
19	(16)	D121	USER SUPPORT ANALYST	1	GRADE 20	
20	(17)	E078	VOCATIONAL INSTRUCTOR IV	6	GRADE 20	
21	(18)	R030	ASST PERSONNEL MANAGER	1	GRADE 19	
22	(19)	G026	BLDG AND GROUNDS COORDINATOR	1	GRADE 19	
23	(20)	L028	DIETICIAN	1	GRADE 19	
24	(21)	E014	DIRECTOR MULTI-MEDIA SERVICES	1	GRADE 19	
25	(22)	E039	LIBRARIAN III	1	GRADE 19	
26	(23)	E063	TEACHER F/T SENSORY IMPAIRED III	36	GRADE 19	
27	(24)	A111	ACCOUNTANT	1	GRADE 18	
28	(25)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
29	(26)	G161	GENERAL MAINTENANCE REPAIRMAN	4	GRADE 17	
30	(27)	Y039	HEATING & A/C MECHANIC	1	GRADE 17	
31	(28)	M039	HOUSEPARENT SUPERVISOR	3	GRADE 17	
32	(29)	Y053	JOURNEYMAN CARPENTER	1	GRADE 17	
33	(30)	Y057	JOURNEYMAN PAINTER	1	GRADE 17	
34	(31)	Y061	JOURNEYMAN PLUMBER	1	GRADE 17	
35	(32)	R190	PERSONNEL OFFICER II	1	GRADE 17	
36	(33)	A108	ACCOUNTING TECHNICIAN II	2	GRADE 15	

1	(34)	V011	CENTRAL SUPPLY SUPV	1	GRADE 15
2	(35)	M034	HOUSEPARENT II	30	GRADE 15
3	(36)	L115	LPN II/LPTN II	3	GRADE 15
4	(37)	M048	RECREATIONAL ACTIVITY LEADER II	4	GRADE 15
5	(38)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
6	(39)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
7	(40)	E027	INSTITUTIONAL TEACHER ASSISTANT	8	GRADE 13
8	(41)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
9	(42)	R125	PERSONNEL OFFICER	1	GRADE 13
10	(43)	K153	SECRETARY II	10	GRADE 13
11	(44)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12
12	(45)	Y001	APPRENTICE TRADESMAN	2	GRADE 11
13	(46)	K155	SECRETARY I	1	GRADE 11
14	(47)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
15	(48)	H027	COOK II	19	GRADE 10
16	(49)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
17	(50)	G006	MOTOR VEHICLE OPERATOR	1	GRADE 10
18	(51)	G165	WORK MAINTENANCE LEADER	2	GRADE 10
19	(52)	G109	BLDG/EQUIP MAINT REPAIRMAN II	2	GRADE 08
20	(53)	G010	LAUNDRY SUPERVISOR	1	GRADE 08
21	(54)	G175	MAINTENANCE WORKER II	8	GRADE 05
22	(55)	G008	LAUNDRY WORKER	<u>1</u>	GRADE 04
23			MAX. NO. OF EMPLOYEES	201	

24

25 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 26 Education - Arkansas School for the Deaf for the 2001-2003 biennium, the
 27 following maximum number of part-time or temporary employees, to be known as
 28 "Extra Help", payable from funds appropriated herein for such purposes: forty
 29 five (45) temporary or part-time employees, when needed, at rates of pay not
 30 to exceed those provided in the Uniform Classification and Compensation Act,
 31 or its successor, or this act for the appropriate classification.

32

33 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 34 to the Department of Education - Arkansas School for the Deaf, to be payable
 35 from the School for the Deaf Fund Account, for personal services and operating
 36 expenses of the Department of Education - Arkansas School for the Deaf - State

1 Operations for the biennial period ending June 30, 2003, the following:

2

3 ITEM		FISCAL YEARS	
4 NO.		2001-2002	2002-2003
5 (01)	REGULAR SALARIES	\$ 5,003,409	\$ 5,133,484
6 (02)	EXTRA HELP	50,000	50,000
7 (03)	PERSONAL SERV MATCHING	1,535,571	1,561,227
8 (04)	OVERTIME	25,000	25,000
9 (05)	MAINT. & GEN. OPERATION		
10 (A)	OPER. EXPENSE	1,281,305	1,296,305
11 (B)	CONF. & TRAVEL	25,000	25,000
12 (C)	PROF. FEES	120,000	120,000
13 (D)	CAP. OUTLAY	150,000	150,000
14 (E)	DATA PROC.	0	0
15 (06)	DEFERRED MAINTENANCE	400,000	400,000
16 (07)	VOCATIONAL ED - STUDENT WORK PAYMENTS	7,500	7,500
17 (08)	SCPI TEST LEVEL PAYMENTS	25,000	25,000
18 (09)	SUMMER PROJECTS	<u>20,000</u>	<u>20,000</u>
19	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,642,785</u>	<u>\$ 8,813,516</u>

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21 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 22 appropriated, to the Department of Education - Arkansas School for the Deaf,
 23 to be payable from the federal funds as designated by the Chief Fiscal Officer
 24 of the State, for personal services and operating expenses of the Department
 25 of Education - Arkansas School for the Deaf - Federal Operations for the
 26 biennial period ending June 30, 2003, the following:

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29 ITEM		FISCAL YEARS	
30 NO.		2001-2002	2002-2003
31 (01)	REGULAR SALARIES	\$ 675,480	\$ 693,043
32 (02)	EXTRA HELP	40,000	40,000
33 (03)	PERSONAL SERV MATCHING	192,516	195,974
34 (04)	MAINT. & GEN. OPERATION		
35 (A)	OPER. EXPENSE	204,521	204,521
36 (B)	CONF. & TRAVEL	52,111	52,111

1	(C) PROF. FEES	214,000	214,000
2	(D) CAP. OUTLAY	79,500	79,500
3	(E) DATA PROC.	<u>0</u>	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,458,128</u>	<u>\$ 1,479,149</u>

5
 6 SECTION 5. APPROPRIATIONS - CASH OPERATIONS. There is hereby appropriated,
 7 to the Department of Education - Arkansas School for the Deaf, to be payable
 8 from cash funds as defined by Arkansas Code 19-4-801 of the Department of
 9 Education - School for the Deaf, for operating expenses of the Department of
 10 Education - Arkansas School for the Deaf - Cash Operations for the biennial
 11 period ending June 30, 2003, the following:

13	ITEM	FISCAL YEARS	
14	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
15	(01) MAINT. & GEN. OPERATION		
16	(A) OPER. EXPENSE	147,136	147,136
17	(B) CONF. & TRAVEL	25,000	25,000
18	(C) PROF. FEES	28,000	28,000
19	(D) CAP. OUTLAY	75,000	50,000
20	(E) DATA PROC.	0	0
21	(02) DEFERRED MAINTENANCE	<u>25,000</u>	<u>25,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 300,136</u>	<u>\$ 275,136</u>

23
 24 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 25 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER SCHOOL
 26 EMPLOYEES. Employees who, in addition to working during the regular school
 27 term, also work during summer months shall be authorized as additional
 28 compensation an amount not to exceed 1/12 of their annual salary for each
 29 month or part thereof worked. Such additional compensation shall not be
 30 construed as exceeding the maximum salary authorized for said employees.

31 Payment of additional compensation shall be limited to employees in the
 32 following classifications:

33	SUMMER SCHOOL POSITIONS	GRADE
34	Teacher for the Sens Imp I	17
35	Teacher for the Sens Imp II	18
36	Teacher for the Sens Imp III	19

1	Teacher for the Sens Imp IV	20
2	Speech Pathologist II	20
3	Vocational Instructor II	18
4	Vocational Instructor III	19
5	Vocational Instructor IV	20
6	Teacher for Sens Imp Super	22

7

8 The provisions of this section shall be in effect only from July 1, 2001
9 through June 30, 2003.

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11 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
12 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
13 ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special
14 allowances available to any employee who performs one of the following duties
15 in addition to their normal duties:

- 16 1) Teaching adult education classes on weekends or evenings
- 17 2) Coaching one or more sports
- 18 3) Sponsoring a club or organization that involves additional hours
- 19 outside of the normal working day.
- 20 4) Interpretive Services

21 Compensation for additional duties may not exceed \$3,000 per school term
22 for any one employee during each fiscal year.

23

24 The provisions of this section shall be in effect only from July 1, 2001
25 through June 30, 2003.

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27 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
28 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADDITIONAL
29 SALARY/COMPENSATION PROVISION. No employee drawing a salary or other form of
30 compensation from the Arkansas Schools for the Deaf or Blind shall be paid an
31 additional salary or receive additional compensation, other than reimbursement
32 for actual expenses, from that agency, nor from any other agency or
33 institution of higher education, except from the Superintendent's written
34 certification to and approval by the Chief Fiscal Officer of the State that
35 the work performed by the employee for the other position does not interfere
36 with the proper and required performance of the employee's primary duties, and

1 that the combined salary payments from both positions will not exceed the
2 maximum annual salary for whichever of the two positions has the higher
3 authorized maximum annual salary.

4 Any employee knowingly violating the provisions of this section shall be
5 subject to immediate termination and shall be barred from employment by any
6 agency or institution of the State of Arkansas for a period of not less than
7 three (3) years or until such employee shall repay to the State of Arkansas
8 any sums received by such employee in violation of this section, together with
9 interest at a rate of ten percent (10%) per annum.

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11 The provisions of this section shall be in effect only from July 1, 2001
12 through June 30, 2003.

13
14 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
15 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHIFT
16 DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not
17 earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

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19 The provisions of this section shall be in effect only from July 1, 2001
20 through June 30, 2003.

21
22 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHERS
24 FOR SENSORY IMPAIRED ENTERING STATE SERVICE. Upon the superintendent's
25 certification to the State Personnel Administrator of prior service at an
26 educational institution and most recent contractual salary, the salary of
27 teachers holding certification in teaching the hearing impaired and entering
28 state service as teachers for the sensory impaired may be adjusted to a rate
29 of pay closest to but not less than their most recent annual salary.

30
31 The provisions of this section shall be in effect only from July 1, 2001
32 through June 30, 2003.

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34 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
36 RATE OF PAY. The Arkansas School for the Deaf is hereby authorized to pay

1 employees hired in the position of Teacher for the Sensory Impaired or Senior
2 Audiologist for the yearly school term the maximum annual salary rate
3 established for each position.

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5 The provisions of this section shall be in effect only from July 1, 2001
6 through June 30, 2003.

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8 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
9 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SIGN LANGUAGE
10 PROFICIENCY INTERVIEW. The Arkansas School for the Deaf is hereby authorized,
11 after prior review by the Arkansas Legislative Council upon certification by
12 the superintendent of the Arkansas School for the Deaf to the Office of
13 Personnel Management and approval of the Chief Fiscal Officer of the State to
14 grant a 2.5 percent (2.5%) salary bonus payment to employees meeting the
15 required level of Sign Language Communication Proficiency Interview (SCPI) for
16 the employee's current position. The bonus ~~payment will~~ may be awarded upon
17 submission of documented proof of such certification ~~to the Office of Personnel~~
18 ~~Management,~~ provided the employee's most recent performance evaluation results
19 in a satisfactory or better rating and provided that the employee has taken a
20 minimum of one course in sign language or in linguistics of sign language after
21 the employee's hire date. New and probationary employees shall be eligible for
22 bonus payments after their probationary period expires provided that the above
23 requirements are met. Employees are eligible for only one SCPI bonus payment
24 ~~for the 1999-2001 biennium~~ as authorized by this subsection over the course of
25 employment.

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27
28 The provisions of this section shall be in effect only from July 1, 2001
29 through June 30, 2003.

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31 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
33 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the
34 Arkansas School for the Deaf shall transfer appropriation from Item No. (09)
35 Summer Projects, in Section 3 of this Act, to Item No. (01) through Item No.
36 (5) in Section 3 of this Act, to compensate Teachers, Houseparents, Food

1 Service, Nursing Staff, ~~and any other necessary staff~~ who work during the
2 summer months on summer projects, and to cover other expenses of summer
3 project activities and to compensate coaches and organization sponsors as
4 referenced in Section 7 of this Act.

5
6 The provisions of this section shall be in effect only from July 1, 2001
7 through June 30, 2003.

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9 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
11 MAINTENANCE/TRANSPORTATION/SECURITY. The Arkansas School for the Deaf shall
12 be responsible for providing maintenance, transportation, and security for the
13 Arkansas School for the Blind. The Arkansas School for the Deaf is authorized
14 to spend general revenue funds to provide for these services.

15
16 The provisions of this section shall be in effect only from July 1, 2001
17 through June 30, 2003.

18
19 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
21 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are
22 authorized to establish a joint paying account in the State Treasury, upon
23 direction of the Board of Trustees for the Arkansas School for the Blind and
24 the Arkansas School for the Deaf. The Board may transfer positions, funds and
25 appropriations to the paying account from either school to serve both schools
26 in the areas of Accounting, Personnel, Inventory, Safety and Health Services.

27 Funding and appropriations for this account will be from transfers from the
28 fund accounts and appropriations of each agency and shall be divided
29 proportionately from each agency based on student population. Said funds
30 shall be payable from the joint account as if the positions and other
31 budgetary line items of appropriation had originally been established in the
32 joint account. Supervision of this account and supervision of the positions
33 within may come from either school as determined by the Board of Trustees.

34
35 The provisions of this section shall be in effect only from July 1, 2001
36 through June 30, 2003.

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2 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DUAL
4 POSITION OCCUPANCY. The Board of Trustees for the School for the Blind and
5 the School for the Deaf shall employ and maintain a separate Superintendent
6 and Secondary Principal as authorized by law for each school. In no event
7 shall any one person employed as a Superintendent or Principal for either
8 school occupy more than one position at one time.

9
10 The provisions of this section shall be in effect only from July 1, 2001
11 through June 30, 2003.

12
13 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
14 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER SALARY
15 INCREASE. In the event that an act is enacted in which the public schools
16 receive funds from the General Assembly to raise the salaries of teachers
17 employed in the public school districts, the Arkansas School for the Deaf and
18 the Arkansas School for the Blind shall be included.

19
20 SECTION 18. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
21 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
22 appropriations as provided in this Act, the agency disbursing officer shall
23 monitor the level of fund balances in relation to expenditures on a monthly
24 basis. If any proposed expenditures would cause a fund balance to decline to
25 less than fifty percent (50%) of the balance available on July 1, 2001, the
26 disbursing officer shall immediately notify the executive head of the agency.
27 Prior to any obligations being made under these circumstances, the agency head
28 shall file written documentation with the Chief Fiscal Officer of the State
29 requesting approval of the expenditures. Such documentation shall provide
30 sufficient financial data to justify the expenditures and shall include the
31 following:
32 1) a plan that clearly indicates the specific fiscal impact of such
33 expenditures on the fund balance.
34 2) information clearly indicating and explaining what programs would be cut or
35 any other measures to be taken by the agency to restore the fund balance.
36 3) the extent to which any of the planned expenditures are for one-time costs

1 or one-time purchase of capitalized items.

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

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

8

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

18

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

27

28 SECTION 27. EMERGENCY CLAUSE. It is found and determined by the General
29 Assembly, that the Constitution of the State of Arkansas prohibits the
30 appropriation of funds for more than a two (2) year period; that the
31 effectiveness of this Act on July 1, 2001 is essential to the operation of the
32 agency for which the appropriations in this Act are provided, and that in the
33 event of an extension of the Regular Session, the delay in the effective date
34 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
35 administration and provision of essential governmental programs. Therefore, an
36 emergency is hereby declared to exist and this Act being necessary for the

1 immediate preservation of the public peace, health and safety shall be in full
2 force and effect from and after July 1, 2001.

3 */s/ Joint Budget Committee*

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