

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1404

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE
12 DEAF FOR THE BIENNIAL PERIOD ENDING JUNE 30,
13 2007; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF EDUCATION
17 - ARKANSAS SCHOOL FOR THE DEAF
18 APPROPRIATION FOR THE 2005-2007
19 BIENNIUM.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. REGULAR SALARIES. There is hereby established for the
26 Department of Education - Arkansas School for the Deaf for the 2005-2007
27 biennium, 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.
36



					Maximum Annual	
				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2005-2006	2006-2007
5	(1)	9949	ED SUPT DEAF SCHOOL	1	\$79,614	\$81,676
6	(2)	026Z	ASD/ASB BUSINESS MANAGER	1	GRADE	26
7	(3)	E020	CURRICULUM DIRECTOR	1	GRADE	24
8	(4)	E015	ED SCHOOL PRINCIPAL	2	GRADE	23
9	(5)	990Z	ED COORD STUDENT ASSESSMENT PROGRAM	1	GRADE	23
10	(6)	M122	EVAL/ADMISSIONS/HLTH SVCS MGR	1	GRADE	23
11	(7)	R094	ASB/ASD PERSONNEL MANAGER	1	GRADE	22
12	(8)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE	22
13	(9)	E057	TEACHER F/T SENSORY IMPAIRED SUPV	1	GRADE	22
14	(10)	E028	ED PROGRAM ADMINISTRATOR	1	GRADE	21
15	(11)	L122	PSYCHOLOGICAL EXAMINER II	2	GRADE	21
16	(12)	L030	DIETARY SERVICES DIRECTOR	1	GRADE	21
17	(13)	L008	SR AUDIOLOGIST	3	GRADE	20
18	(14)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE	20
19	(15)	L140	SPEECH PATHOLOGIST II	5	GRADE	20
20	(16)	M028	COUNSELOR II	2	GRADE	20
21	(17)	E077	TEACHER F/T SENSORY IMPAIRED IV	13	GRADE	20
22	(18)	E078	VOCATIONAL INSTRUCTOR IV	6	GRADE	20
23	(19)	D121	USER SUPPORT ANALYST	1	GRADE	20
24	(20)	E014	DIRECTOR MULTI-MEDIA SERVICES	1	GRADE	19
25	(21)	A110	ACCOUNTANT II	1	GRADE	19
26	(22)	E039	LIBRARIAN III	1	GRADE	19
27	(23)	E063	TEACHER F/T SENSORY IMPAIRED III	36	GRADE	19
28	(24)	G026	BLDG AND GROUNDS COORDINATOR	1	GRADE	19
29	(25)	R030	ASST PERSONNEL MANAGER	1	GRADE	19
30	(26)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE	17
31	(27)	M039	HOUSEPARENT SUPERVISOR	3	GRADE	17
32	(28)	Y039	HEATING & A/C MECHANIC	1	GRADE	17
33	(29)	Y053	JOURNEYMAN CARPENTER	1	GRADE	17
34	(30)	Y057	JOURNEYMAN PAINTER	1	GRADE	17
35	(31)	Y061	JOURNEYMAN PLUMBER	1	GRADE	17
36	(32)	R190	PERSONNEL OFFICER II	1	GRADE	17

1	(33)	G161	GENERAL MAINTENANCE REPAIRMAN	4	GRADE 17
2	(34)	M034	HOUSEPARENT II	30	GRADE 15
3	(35)	A108	ACCOUNTING TECHNICIAN II	3	GRADE 15
4	(36)	V011	CENTRAL SUPPLY SUPV	1	GRADE 15
5	(37)	M048	RECREATIONAL ACTIVITY LEADER II	4	GRADE 15
6	(38)	L115	LPN II/LPTN II	3	GRADE 15
7	(39)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
8	(40)	K153	SECRETARY II	9	GRADE 13
9	(41)	H049	SUPERVISOR OF COOKING	4	GRADE 13
10	(42)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
11	(43)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
12	(44)	E027	INSTITUTIONAL TEACHER ASSISTANT	8	GRADE 13
13	(45)	R125	PERSONNEL OFFICER	1	GRADE 13
14	(46)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
15	(47)	Y001	APPRENTICE TRADESMAN	2	GRADE 11
16	(48)	G165	WORK MAINTENANCE LEADER	1	GRADE 10
17	(49)	G006	MOTOR VEHICLE OPERATOR	1	GRADE 10
18	(50)	H027	COOK II	15	GRADE 10
19	(51)	G010	LAUNDRY SUPERVISOR	1	GRADE 08
20	(52)	G175	MAINTENANCE WORKER II	<u>5</u>	GRADE 05
21			MAX. NO. OF EMPLOYEES	192	

22

23 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 24 Education - Arkansas School for the Deaf for the 2005-2007 biennium, the
 25 following maximum number of part-time or temporary employees, to be known as
 26 "Extra Help", payable from funds appropriated herein for such purposes:
 27 forty five (45) temporary or part-time employees, when needed, at rates of
 28 pay not to exceed those provided in the Uniform Classification and
 29 Compensation Act, or its successor, or this act for the appropriate
 30 classification.

31

32 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 33 to the Department of Education - Arkansas School for the Deaf, to be payable
 34 from the School for the Deaf Fund Account, for personal services and
 35 operating expenses of the Department of Education - Arkansas School for the
 36 Deaf - State Operations for the biennial period ending June 30, 2007, the

1 following:

2

3 ITEM		FISCAL YEARS	
4 NO.		2005-2006	2006-2007
5 (01)	REGULAR SALARIES	\$ 5,242,473	\$ 5,400,766
6 (02)	EXTRA HELP	50,000	50,000
7 (03)	PERSONAL SERVICES MATCHING	1,839,624	1,874,600
8 (04)	OVERTIME	25,000	25,000
9 (05)	MAINT. & GEN. OPERATION		
10 (A)	OPER. EXPENSE	1,551,305	1,551,305
11 (B)	CONF. & TRAVEL	25,000	25,000
12 (C)	PROF. FEES	100,000	100,000
13 (D)	CAP. OUTLAY	65,000	65,000
14 (E)	DATA PROC.	0	0
15 (06)	SPECIAL MAINTENANCE	400,000	400,000
16 (07)	VOCATIONAL WORKSTUDY	7,500	7,500
17 (08)	SCPI/ASL	<u>240,000</u>	<u>240,000</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$ 9,545,902</u>	<u>\$ 9,739,171</u>

19

20 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 21 appropriated, to the Department of Education - Arkansas School for the Deaf,
 22 to be payable from the federal funds as designated by the Chief Fiscal
 23 Officer of the State, for personal services and operating expenses of the
 24 Department of Education - Arkansas School for the Deaf - Federal Operations
 25 for the biennial period ending June 30, 2007, the following:

26

27 ITEM		FISCAL YEARS	
28 NO.		2005-2006	2006-2007
29 (01)	REGULAR SALARIES	\$ 736,108	\$ 757,988
30 (02)	EXTRA HELP	40,000	40,000
31 (03)	PERSONAL SERVICES MATCHING	244,558	249,398
32 (04)	MAINT. & GEN. OPERATION		
33 (A)	OPER. EXPENSE	240,909	240,909
34 (B)	CONF. & TRAVEL	62,111	62,111
35 (C)	PROF. FEES	286,200	286,200
36 (D)	CAP. OUTLAY	129,500	129,500

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,739,386</u>	<u>\$ 1,766,106</u>

3

4 SECTION 5. APPROPRIATIONS - CASH OPERATIONS. There is hereby

5 appropriated, to the Department of Education - Arkansas School for the Deaf,

6 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the

7 Department of Education - Arkansas School for the Deaf, for operating

8 expenses of the Department of Education - Arkansas School for the Deaf - Cash

9 Operations for the biennial period ending June 30, 2007, the following:

11	ITEM	FISCAL YEARS	
12	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
13	(01) MAINT. & GEN. OPERATION		
14	(A) OPER. EXPENSE	\$ 147,136	\$ 147,136
15	(B) CONF. & TRAVEL	25,000	25,000
16	(C) PROF. FEES	28,000	28,000
17	(D) CAP. OUTLAY	75,000	75,000
18	(E) DATA PROC.	0	0
19	(02) SPECIAL MAINTENANCE	<u>145,000</u>	<u>145,000</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$ 420,136</u>	<u>\$ 420,136</u>

21

22 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER

24 SCHOOL EMPLOYEES. Employees who, in addition to working during the regular

25 school term, also work during summer months shall be authorized as additional

26 compensation an amount not to exceed 1/12 of their annual salary for each

27 month or part thereof worked. Such additional compensation shall not be

28 construed as exceeding the maximum salary authorized for said employees.

29 Payment of additional compensation shall be limited to employees in the

30 following classifications:

31	SUMMER SCHOOL POSITIONS	GRADE
32	Teacher for the Sens Imp I	17
33	Teacher for the Sens Imp II	18
34	Teacher for the Sens Imp III	19
35	Teacher for the Sens Imp IV	20
36	Speech Pathologist II	20

1 Vocational Instructor II 18
 2 Vocational Instructor III 19
 3 Vocational Instructor IV 20
 4 Teacher for Sens Imp Super 22

5 The provisions of this section shall be in effect only from July 1, 2003
 6 2005 through June 30, ~~2005~~ 2007.

7

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

- 13 1) Teaching adult education classes, parent training, student tutorial
 14 services on weekends or evenings
- 15 2) Coaching one or more sports
- 16 3) Sponsoring a club or organization that involves additional hours outside
 17 of the normal working day.
- 18 4) Interpretive Services

19 Compensation for additional duties may not exceed \$3,000 per school term for
 20 any one employee during each fiscal year. Such additional compensation shall
 21 not be construed as exceeding the maximum salary authorized for said
 22 employee.

23 The provisions of this section shall be in effect only from July 1, 2003
 24 2005 through June 30, ~~2005~~ 2007.

25

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

1 exceed the maximum annual salary for whichever of the two positions has the
 2 higher authorized maximum annual salary.

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

9 The provisions of this section shall be in effect only from July 1, 2003
 10 2005 through June 30, ~~2005~~ 2007.

11
 12 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHIFT
 14 DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not
 15 earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

16 The provisions of this section shall be in effect only from July 1, 2003
 17 2005 through June 30, ~~2005~~ 2007.

18
 19 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHERS
 21 FOR SENSORY IMPAIRED ENTERING STATE SERVICE. Upon the superintendent's
 22 certification to the State Personnel Administrator of prior service at an
 23 educational institution and most recent contractual salary, the salary of
 24 teachers holding certification in teaching the hearing impaired and entering
 25 state service as teachers for the sensory impaired may be adjusted to a rate
 26 of pay closest to but not less than their most recent annual salary.

27 The provisions of this section shall be in effect only from July 1, 2003
 28 2005 through June 30, ~~2005~~ 2007.

29
 30 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 31 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SIGN LANGUAGE
 32 PROFICIENCY INTERVIEW/AMERICAN SIGN LANGUAGE. The Arkansas School for the
 33 Deaf is hereby authorized, after prior review by the Arkansas Legislative
 34 Council upon certification by the superintendent of the Arkansas School for
 35 the Deaf to the Office of Personnel Management and approval of the Chief
 36 Fiscal Officer of the State to grant either a 2.5 percent (2.5%) salary bonus

1 payment to employees meeting the required level of Sign Language
 2 Communication Proficiency Interview (SCPI) for the employee's current
 3 position or up to a 10% salary increase for employees meeting minimum standards
 4 established under Arkansas code ACA 21-5-211 (1) (f) (i). The bonus may be
 5 awarded upon submission of documented proof of such certification provided
 6 the employee's most recent performance evaluation results in a satisfactory
 7 or better rating and provided that the employee has taken a minimum of one
 8 course in sign language or in linguistics of sign language after the
 9 employee's hire date. New and probationary employees shall be eligible for
 10 the bonus payments payment or salary increase after their probationary period
 11 expires provided that the above requirements are met. Employees are eligible
 12 for only one SCPI bonus payment as authorized by this subsection over the
 13 course of employment.

14 The provisions of this section shall be in effect only from July 1, 2003
 15 2005 through June 30, ~~2005~~ 2007.

16
 17 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 19 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the
 20 Arkansas School for the Deaf shall transfer appropriation from the ~~Summer~~
 21 ~~Projects~~ Miscellaneous Activities line item in this Act, to Item No. (01)
 22 through Item No. (5) in Section 3 of this Act, to compensate ~~Teachers,~~
 23 ~~Houseparents, Food Service, Nursing~~ staff who work during the summer months
 24 on summer projects, and to cover other expenses of summer project activities,
 25 and to compensate ~~coaches and organization sponsors~~ employees as referenced
 26 in Section 7 of this Act and to compensate eligible staff for shift
 27 differential pay. Such additional compensation shall not be construed as
 28 exceeding the maximum salary authorized for said employees.

29 The provisions of this section shall be in effect only from July 1, 2003
 30 2005 through June 30, ~~2005~~ 2007.

31
 32 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 34 MAINTENANCE/TRANSPORTATION/SECURITY. The Arkansas School for the Deaf shall
 35 be responsible for providing maintenance, transportation, and security for
 36 the Arkansas School for the Blind. The Arkansas School for the Deaf is

1 authorized to spend general revenue funds to provide for these services.

2 The provisions of this section shall be in effect only from July 1, 2003
 3 2005 through June 30, ~~2005~~ 2007.

4
 5 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
 7 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are
 8 authorized to establish a joint paying account in the State Treasury, upon
 9 direction of the Board of Trustees for the Arkansas School for the Blind and
 10 the Arkansas School for the Deaf. The Board may transfer positions, funds
 11 and appropriations to the paying account from either school to serve both
 12 schools in the areas of Accounting, Personnel, Inventory, Safety and Health
 13 Services.

14 Funding and appropriations for this account will be from transfers from
 15 the fund accounts and appropriations of each agency and shall be divided
 16 proportionately from each agency based on student population. Said funds
 17 shall be payable from the joint account as if the positions and other
 18 budgetary line items of appropriation had originally been established in the
 19 joint account. Supervision of this account and supervision of the positions
 20 within may come from either school as determined by the Board of Trustees.

21 The provisions of this section shall be in effect only from July 1, 2003
 22 2005 through June 30, ~~2005~~ 2007.

23
 24 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER
 26 SALARY INCREASE. In the event that an act is enacted in which the public
 27 schools receive funds from the General Assembly to raise the salaries of
 28 teachers employed in the public school districts, the Arkansas School for the
 29 Deaf and the Arkansas School for the Blind shall be included.

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

32
 33 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 35 RATES OF PAY. Due to the highly competitive job market conditions for public
 36 school teachers and other education staff, the necessity of recruiting and

1 retaining qualified personnel, and the need to establish a minimum
 2 compensation schedule, the Arkansas School for the Deaf is authorized special
 3 rates of compensation for current and new employees in the classifications
 4 listed under subsection (a) below, with additional authority, funding and
 5 other restrictions as indicated in subsection (b) through (e) below.

6

7 (a) CLASS

8	<u>CODE</u>	<u>TITLE</u>	<u>GRADE</u>
9	<u>E059</u>	<u>Teacher for the Sensory Impaired I</u>	<u>17</u>
10	<u>E061</u>	<u>Teacher for the Sensory Impaired II</u>	<u>18</u>
11	<u>E063</u>	<u>Teacher for the Sensory Impaired III</u>	<u>19</u>
12	<u>E077</u>	<u>Teacher for the Sensory Impaired IV</u>	<u>20</u>
13	<u>E080</u>	<u>Vocational Instructor I</u>	<u>17</u>
14	<u>E082</u>	<u>Vocational Instructor II</u>	<u>18</u>
15	<u>E076</u>	<u>Vocational Instructor III</u>	<u>19</u>
16	<u>E078</u>	<u>Vocational Instructor IV</u>	<u>20</u>
17	<u>E136</u>	<u>Orientation and Mobility Specialist</u>	<u>19</u>
18	<u>E036</u>	<u>Librarian I</u>	<u>17</u>
19	<u>E037</u>	<u>Librarian II</u>	<u>18</u>
20	<u>E039</u>	<u>Librarian III</u>	<u>19</u>
21	<u>M026</u>	<u>Counselor I</u>	<u>18</u>
22	<u>M028</u>	<u>Counselor II</u>	<u>20</u>
23	<u>E057</u>	<u>Teacher for the Sensory Impaired Supv.</u>	<u>22</u>
24	<u>E015</u>	<u>Education Principal</u>	<u>23</u>

25

26 (b) Rates of pay shall not be implemented until a plan for providing
 27 special rates of pay indicated in subsection (a) have been
 28 reviewed and approved by the Office of Personnel Management after
 29 prior review by the Uniform Personnel Classification and
 30 Compensation Committee of the Arkansas Legislative Council.
 31 Minimum compensation levels shall be based on comparable public
 32 school salaries as set forth in Arkansas Code 6-17-2403 (b), or
 33 its successor.

34 (c) Employees whose June 30 annual salary rate is at pay level IV
 35 shall be eligible for the increase provided in subsection (a) and
 36 (b) of this section, but the increase shall be paid as a lump sum

1 on June 30 of the year in which the increase is to occur and will
 2 only be given to those staff employed for the full year.

3 (d) The Chief Fiscal Officer of the State shall transfer funding to
 4 the Arkansas School for the Blind from the Educational Adequacy
 5 Fund for the implementation of special rates of pay in amounts
 6 not to exceed \$275,000 for each year of the biennium.

7 (e) The provisions of this section shall be in effect only from July
 8 1, 2005 through June 30, 2007.

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

19
 20 SECTION 18. LEGISLATIVE INTENT. It is the intent of the General Assembly
 21 that any funds disbursed under the authority of the appropriations contained
 22 in this act shall be in compliance with the stated reasons for which this act
 23 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 24 and Legislative Recommendations contained in the budget manuals prepared by
 25 the Department of Finance and Administration, letters, or summarized oral
 26 testimony in the official minutes of the Arkansas Legislative Council or
 27 Joint Budget Committee which relate to its passage and adoption.

28
 29 SECTION 19. EMERGENCY CLAUSE. It is found and determined by the General
 30 Assembly, that the Constitution of the State of Arkansas prohibits the
 31 appropriation of funds for more than a two (2) year period; that the
 32 effectiveness of this Act on July 1, 2005 is essential to the operation of
 33 the agency for which the appropriations in this Act are provided, and that in
 34 the event of an extension of the Regular Session, the delay in the effective
 35 date of this Act beyond July 1, 2005 could work irreparable harm upon the
 36 proper administration and provision of essential governmental programs.

Therefore, an emergency is hereby declared to exist and this Act being
necessary for the immediate preservation of the public peace, health and
safety shall be in full force and effect from and after July 1, 2005.

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