

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1291

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HEALTH AND HUMAN SERVICES -
12 DIVISION OF AGING AND ADULT SERVICES FOR THE
13 BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR
14 OTHER PURPOSES.
15

Subtitle

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17
18 AN ACT FOR THE DEPARTMENT OF HEALTH AND
19 HUMAN SERVICES - DIVISION OF AGING AND
20 ADULT SERVICES APPROPRIATION FOR THE
21 2007-2009 BIENNIUM.
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
27 the Department of Health and Human Services - Division of Aging and Adult
28 Services for the 2007-2009 biennium, the following maximum number of regular
29 employees whose salaries shall be governed by the provisions of the Uniform
30 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
31 its successor, and all laws amendatory thereto. Provided, however, that any
32 position to which a specific maximum annual salary is set out herein in
33 dollars, shall be exempt from the provisions of said Uniform Classification
34 and Compensation Act. All persons occupying positions authorized herein are
35 hereby governed by the provisions of the Regular Salaries Procedures and
36 Restrictions Act (Arkansas Code §21-5-101), or its successor.



				Maximum Annual		
				Maximum	Salary Rate	
				No. of	Fiscal Years	
5	4	4	4	5	2007-2008	2008-2009
No.	Class	Code	Title	Employees		
6	(1)	8868	DHS DEPUTY DIRECTOR ADULT SERVICES	1	\$101,049	\$103,069
7	(2)	8960	AGING & ADULT SVCS ASST DEP DIR	1	\$68,491	\$69,860
8	(3)	8930	AGING & ADULT SVCS ASST DEP DIR	1	\$66,336	\$67,662
9	(4)	L124	PSYCHOLOGIST	1	GRADE 25	
10	(5)	923Z	DHS PRGM ADMINISTRATOR	7	GRADE 23	
11	(6)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21	
12	(7)	697Z	DHS PRGM MANAGER	2	GRADE 21	
13	(8)	L082	NURSING SERVICES SPECIALIST	3	GRADE 21	
14	(9)	L122	PSYCHOLOGICAL EXAMINER II	1	GRADE 21	
15	(10)	R115	OFFICE ON AGING PROGRAM SUPERVISOR	8	GRADE 21	
16	(11)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21	
17	(12)	R266	MANAGEMENT PROJECT ANALYST II	7	GRADE 20	
18	(13)	M088	SOCIAL WORKER II	1	GRADE 20	
19	(14)	M127	SR REHABILITATION COUNSELOR	4	GRADE 20	
20	(15)	Q039	HVACR INSPECTOR SUPERVISOR	1	GRADE 20	
21	(16)	L088	OCCUPATIONAL THERAPIST II	1	GRADE 20	
22	(17)	L070	NURSE II	44	GRADE 20	
23	(18)	L140	SPEECH PATHOLOGIST II	1	GRADE 20	
24	(19)	M005	FAMILY SERVICE WORKER SPECIALIST	21	GRADE 20	
25	(20)	B066	MICROBIOLOGIST II	1	GRADE 20	
26	(21)	L028	DIETICIAN	1	GRADE 19	
27	(22)	M086	SOCIAL WORKER I	4	GRADE 19	
28	(23)	R084	DHS STAFF SUPERVISOR	1	GRADE 19	
29	(24)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
30	(25)	R134	PLANNING SPECIALIST II	1	GRADE 18	
31	(26)	D034	PROGRAMMER ANALYST	1	GRADE 18	
32	(27)	R190	PERSONNEL OFFICER II	1	GRADE 17	
33	(28)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE 17	
34	(29)	M079	SOCIAL SERVICE WORKER I	1	GRADE 15	
35	(30)	K153	SECRETARY II	<u>5</u>	GRADE 13	
36			MAX. NO. OF EMPLOYEES	131		

1
 2 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 3 Department of Health and Human Services - Division of Aging and Adult
 4 Services for the 2007-2009 biennium, the following maximum number of part-
 5 time or temporary employees, to be known as "Extra Help", payable from funds
 6 appropriated herein for such purposes: eighteen (18) temporary or part-time
 7 employees, when needed, at rates of pay not to exceed those provided in the
 8 Uniform Classification and Compensation Act, or its successor, or this act
 9 for the appropriate classification.

10
 11 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 12 the Department of Health and Human Services - Division of Aging and Adult
 13 Services, to be payable from the paying account as determined by the Chief
 14 Fiscal Officer of the State, for personal services and operating expenses of
 15 the Department of Health and Human Services - Division of Aging and Adult
 16 Services for the biennial period ending June 30, 2009, the following:

17
 18 ITEM FISCAL YEARS
 19 NO. 2007-2008 2008-2009

20 (01) REGULAR SALARIES	\$ 5,085,395	\$ 5,187,192
21 (02) EXTRA HELP	140,868	140,868
22 (03) PERSONAL SERVICES MATCHING	1,601,849	1,622,675
23 (04) MAINT. & GEN. OPERATION		
24 (A) OPER. EXPENSE	1,282,613	1,282,613
25 (B) CONF. & TRAVEL	55,000	55,000
26 (C) PROF. FEES	57,500	57,500
27 (D) CAP. OUTLAY	0	0
28 (E) DATA PROC.	0	0
29 (05) COMMUNITY BASED CARE	26,552	26,552
30 (06) NURSING HOME CARE ALTERNATIVES	5,101,592	5,188,319
31 (07) NUTRITION PROGRAMS	9,422,230	9,422,230
32 (08) OLDER WORKER PROGRAM	1,151,249	1,170,820
33 (09) PROJECT GRANTS	12,251,245	12,251,245
34 (10) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000	75,000
35 (11) SENIOR CITIZEN CENTERS	<u>5,085,000</u>	<u>5,171,445</u>
36 TOTAL AMOUNT APPROPRIATED	<u>\$ 41,336,093</u>	<u>\$ 41,651,459</u>

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SECTION 4. APPROPRIATION - MEALS ON WHEELS. There is hereby appropriated, to the Department of Health and Human Services - Division of Aging and Adult Services, to be payable from the Aging and Adult Services Fund Account, for the Meals on Wheels Program and transportation services for the elderly of the Department of Health and Human Services - Division of Aging and Adult Services for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) TRANSPORTATION SERVICES	\$ 3,500,000	\$ 3,500,000

SECTION 5. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby appropriated, to the Department of Health and Human Services - Division of Aging and Adult Services, to be payable from the Aging and Adult Services Fund Account, for matching funds for the Arkansas Senior Olympics of the Department of Health and Human Services - Division of Aging and Adult Services for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) STATE MATCH	\$ 70,000	\$ 70,000

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND ADULT SERVICES - CARRY FORWARD. Any unexpended balance of funds and appropriation authorized for elderly transportation including the Meals on Wheels Program which remains at the close of the fiscal year ending June 30, ~~2005~~ 2007 or June 30, ~~2006~~ 2008 or both, shall be carried forward into the next fiscal year, there to be used for the same purpose.

Any carry forward of unexpended balance of appropriation and/or funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, 2008 the Agency shall by written statement set forth its reason(s) for the need to carry forward said appropriation and/or funding

1 to the Department of Finance and Administration Office of Budget;

2
 3 (2) The Department of Finance and Administration Office of Budget shall
 4 report to the Arkansas Legislative Council all amounts carried forward from
 5 the first fiscal year of the biennium to the second fiscal year of the
 6 biennium by the September Arkansas Legislative Council or Joint Budget
 7 Committee meeting in the second fiscal year of the biennial period which
 8 report shall include the name of the Agency, Board, Commission or Institution
 9 and the amount of the appropriation and/or funding carried forward from the
 10 first fiscal year to the second fiscal year, the program name or line item,
 11 the funding source of that appropriation and a copy of the written request
 12 set forth in (1) above;

13
 14 (3) Each Agency, Board, Commission or Institution shall provide a written
 15 report to the Arkansas Legislative Council or Joint Budget Committee
 16 containing all information set forth in item (2) above, along with a written
 17 statement as to the current status of the project, contract, purpose etc. for
 18 which the carry forward was originally requested no later than thirty (30)
 19 days prior to the time the Agency, Board, Commission or Institution presents
 20 its budget request to the Arkansas Legislative Council/Joint Budget
 21 Committee; and

22
 23 (4) Thereupon, the Department of Finance and Administration shall include
 24 all information obtained in item (3) above in the biennial budget manuals
 25 and/or a statement of non-compliance by the Agency, Board, Commission or
 26 Institution.

27
 28 The provisions of this section shall be in effect only from July 1, 2005
 29 2007 through June 30, ~~2007~~ 2009.

30
 31 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
 33 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for
 34 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-
 35 one state/local matching basis. The Senior Arkansas Sports Organization must
 36 certify its portion of the match to the Division of Aging and Adult Services

1 before any funds appropriated for state match for the Arkansas Senior
 2 Olympics Program in this Act are disbursed.

3 The provisions of this section shall be in effect only from July 1, ~~2005~~
 4 2007 through June 30, ~~2007~~ 2009.

5

6 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
 8 ADULT SERVICES - STATE MATCH AUTHORIZED. The Director of the Department of
 9 Health and Human Services is authorized to use State funds appropriated in
 10 this Act to match Federal funds available under Title III and Title V of the
 11 Older Americans Act, Social Services Block Grant, or such other federal funds
 12 as may become available.

13 The provisions of this section shall be in effect only from July 1, ~~2005~~
 14 2007 through June 30, ~~2007~~ 2009.

15

16 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
 18 ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations
 19 for state and federal funding contained herein for the Division of Aging and
 20 Adult Services and that are distributed under grant or contract methodologies
 21 may be disbursed by the Department of Health and Human Services in the same
 22 manner as authorized under federal regulations for the disbursement of Title
 23 III Older Americans Act funds. Otherwise, all disbursements shall comply
 24 with the provisions of this Act.

25 The provisions of this section shall be in effect only from July 1, ~~2005~~
 26 2007 through June 30, ~~2007~~ 2009.

27

28 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
 30 ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home
 31 Care Alternatives", as it appears in the Aging and Adult Services -
 32 Operations appropriation may be used for home delivered meals, adult day
 33 care, homemaker/chore, respite care, personal care, health promotion, and
 34 other community based activities. These funds may also be used to match
 35 Medicaid community based programs.

36 The provisions of this section shall be in effect only from July 1, ~~2005~~

1 2007 through June 30, ~~2007~~ 2009.

2

3 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR
 5 CITIZEN CENTERS. The ~~five million dollars (\$5,000,000) appropriated~~
 6 appropriation each fiscal year in this act for Senior Citizen Centers shall
 7 be distributed in the same manner as the funding formula requirements set out
 8 in the federal Older Americans Act funding law. The additional funding
 9 provided by this provision shall supplement and not supplant any monies
 10 currently funding services for Senior Citizen Centers.

11 The requirements in this section shall only be implemented in accordance
 12 with any necessary approval by the Centers for Medicare and Medicaid
 13 Services, and in the event that additional general revenue funding is
 14 provided by the General Assembly for these purposes. Should additional
 15 funding provided for these purposes be insufficient to provide for the
 16 increases in full, the increases shall be provided to the extent that funding
 17 is made available.

18 The provisions of this section shall be in effect only from July 1, ~~2005~~
 19 2007 through June 30, ~~2007~~ 2009.

20

21 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
 23 ADULT SERVICES – GRANT/CONTRACT CHANGE LEVEL GUIDELINES.

24 (a) The Arkansas General Assembly has recognized the value of non-profit
 25 community-based programs in the delivery of services to provide care and
 26 support for aging and adults as an alternative to more restrictive settings.
 27 The state has designated the Area Agencies on Aging and their contracted non-
 28 profit provider network as quasi-governmental instrumentalities of the state
 29 and utilized them to provide an array of care and support services to the
 30 aging and adults in a community environment.

31

32 (b) Due to the ongoing Classification Study commissioned by the 85th General
 33 Assembly, it was determined by an Executive Policy Statement by the Governor,
 34 for preparation of 2007-2009 Biennial Budget Requests, that no pay plan
 35 increases for state employees be included in agency requests. Therefore, an
 36 eighty-five percent (85%) of two percent (2%) Base Level funding increase

1 authorized in this subsection is deemed necessary due to the non-
 2 establishment of a pay plan policy for state employees for the 2007-2009
 3 Biennium. The eighty-five percent (85%) of two percent (2%) Base Level
 4 funding increase shall be applied over and above the 2007 fiscal year
 5 budgeted amounts in the Nursing Home Care Alternatives, Older Worker Program,
 6 and Senior Citizen Centers community-based service provider appropriation
 7 line items authorized in this act. The two percent (2%) used in the
 8 calculation of the Base Level funding increase is derived from the percentage
 9 increase utilized by the state to compute Base Level Regular Salaries each
 10 fiscal year of the 2005-2007 biennium for state employees earning between
 11 twenty thousand dollars (\$20,000) to fifty thousand dollars (\$50,000).

12
 13 (c) There is hereby established for the following line items in this act, as
 14 set out herein, the following base level amounts to be made available by the
 15 Department of Health and Human Services, there to be used as provided by law
 16 for the biennial period ending June 30, 2009, the following:

		<u>Base Level</u>	
		<u>Fiscal Years</u>	
<u>Item</u>		<u>2007-08</u>	<u>2008-09</u>
<u>No.</u>	<u>Line Item</u>		
(01)	<u>Nursing Home Care Alternatives</u>	<u>\$5,101,592</u>	<u>\$5,188,319</u>
(02)	<u>Older Worker Program</u>	<u>\$1,151,249</u>	<u>\$1,170,820</u>
(03)	<u>Senior Citizen Centers</u>	<u>\$5,085,000</u>	<u>\$5,171,445</u>
	<u>Total Base Level Amount</u>	<u>\$11,337,841</u>	<u>\$11,530,584</u>

25
 26 (d) The annual Base Level funding increases in the community-based service
 27 line items listed in subsections (b) and (c) of this section is to provide
 28 annual base level adjustments for services in community-based programs. It is
 29 also the legislative intent that the general revenue funding provided by the
 30 Arkansas General Assembly beyond what is used for non-Medicaid reimbursable
 31 services shall be utilized at the match rate determined by the current
 32 federal medical assistance percentages and in accordance with payment rates
 33 approved by the Centers for Medicare and Medicaid Services.

34
 35 (e) Upon a determination by the Department of Health and Human Services that
 36 the amount of available funding in the Aging and Adult Services Fund Account

1 or the paying account as determined by the State Chief Fiscal Officer is
2 insufficient to provide for the projected expenditures from the fund account
3 or paying account during the fiscal year, the Department shall identify
4 proposed spending reductions and appropriation and funds transfers necessary
5 to eliminate the projected shortfall while minimizing the loss of federal
6 matching funds; and shall simultaneously notify affected providers and the
7 State Chief Fiscal Officer of any proposed remedial action. Nothing in this
8 section shall be construed to alter or eliminate any review or approval
9 process required by law or to prevent the Department from taking steps that
10 are necessary to avoid violation of §19-2-104, Title 19, Chapter 4, or the
11 State Treasury Management Law.

12
13 (f) Notwithstanding any law pertaining to the Reallocation of Resources or
14 Transfer Authority for the Department of Health and Human Services or any law
15 to the contrary, no funds appropriated for non-profit community-based
16 services certified by the Division of Aging and Adult Services shall be
17 transferred from the line items listed in subsections (b) and (c) of this
18 section except to remedy, in whole or in part, a projected shortfall of
19 appropriation, funding, or both.

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

23
24 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY-
26 FORWARD - COMMUNITY BASED PROVIDERS. Any unexpended balance of appropriation
27 authorized for Nursing Home Care Alternatives, Older Worker Program, and
28 Senior Citizen Centers remaining on June 30, 2008 shall be carried forward
29 and made available during the fiscal year ending June 30, 2009, there to be
30 used for the same purposes.

31
32 Any carry forward of unexpended balance of appropriation and/or funding as
33 authorized herein, may be carried forward under the following conditions:

34
35 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
36 its reason(s) for the need to carry forward said appropriation and/or funding

1 to the Department of Finance and Administration Office of Budget;

2
3 (2) The Department of Finance and Administration Office of Budget shall
4 report to the Arkansas Legislative Council all amounts carried forward from
5 the first fiscal year of the biennium to the second fiscal year of the
6 biennium by the September Arkansas Legislative Council or Joint Budget
7 Committee meeting in the second fiscal year of the biennial period which
8 report shall include the name of the Agency, Board, Commission or Institution
9 and the amount of the appropriation and/or funding carried forward from the
10 first fiscal year to the second fiscal year, the program name or line item,
11 the funding source of that appropriation and a copy of the written request
12 set forth in (1) above;

13
14 (3) Each Agency, Board, Commission or Institution shall provide a written
15 report to the Arkansas Legislative Council or Joint Budget Committee
16 containing all information set forth in item (2) above, along with a written
17 statement as to the current status of the project, contract, purpose etc. for
18 which the carry forward was originally requested no later than thirty (30)
19 days prior to the time the Agency, Board, Commission or Institution presents
20 its budget request to the Arkansas Legislative Council/Joint Budget
21 Committee; and

22
23 (4) Thereupon, the Department of Finance and Administration shall include
24 all information obtained in item (3) above in the biennial budget manuals
25 and/or a statement of non-compliance by the Agency, Board, Commission or
26 Institution.

27
28 The provisions of this section shall be in effect only from July 1, 2007
29 through June 30, 2009.

30
31 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDS
33 CARRY-FORWARD PROVISION. Notwithstanding any law pertaining to the transfer
34 of year-end fund balances or any law to the contrary, any obligated general
35 revenue funds which remain in the Aging and Adult Services Fund Account or
36 the paying account as determined by the Chief Fiscal Officer of the State, or

1 both, allocated for the Nursing Home Care Alternatives, Older Worker Program,
2 and Senior Citizen Centers line item programs at the end of a fiscal year
3 shall remain in the Aging and Adult Services Fund Account or the paying
4 account as determined by the Chief Fiscal Officer of the State, or both, and
5 made available in the following fiscal year for the same purposes to satisfy
6 such legal and contractual obligations that have been entered into prior to
7 the end of the fiscal year.

8
9 Any carry forward of unexpended balance of appropriation and/or funding as
10 authorized herein, may be carried forward under the following conditions:

11
12 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
13 its reason(s) for the need to carry forward said appropriation and/or funding
14 to the Department of Finance and Administration Office of Budget;

15
16 (2) The Department of Finance and Administration Office of Budget shall
17 report to the Arkansas Legislative Council all amounts carried forward from
18 the first fiscal year of the biennium to the second fiscal year of the
19 biennium by the September Arkansas Legislative Council or Joint Budget
20 Committee meeting in the second fiscal year of the biennial period which
21 report shall include the name of the Agency, Board, Commission or Institution
22 and the amount of the appropriation and/or funding carried forward from the
23 first fiscal year to the second fiscal year, the program name or line item,
24 the funding source of that appropriation and a copy of the written request
25 set forth in (1) above;

26
27 (3) Each Agency, Board, Commission or Institution shall provide a written
28 report to the Arkansas Legislative Council or Joint Budget Committee
29 containing all information set forth in item (2) above, along with a written
30 statement as to the current status of the project, contract, purpose etc. for
31 which the carry forward was originally requested no later than thirty (30)
32 days prior to the time the Agency, Board, Commission or Institution presents
33 its budget request to the Arkansas Legislative Council/Joint Budget
34 Committee; and

35
36 (4) Thereupon, the Department of Finance and Administration shall include

1 all information obtained in item (3) above in the biennial budget manuals
 2 and/or a statement of non-compliance by the Agency, Board, Commission or
 3 Institution.

4
 5 The provisions of this section shall be in effect only from July 1, 2007
 6 through June 30, 2009.

7
 8 SECTION 15. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 9 by this act shall be limited to the appropriation for such agency and funds
 10 made available by law for the support of such appropriations; and the
 11 restrictions of the State Procurement Law, the General Accounting and
 12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 13 Procedures and Restrictions Act, or their successors, and other fiscal
 14 control laws of this State, where applicable, and regulations promulgated by
 15 the Department of Finance and Administration, as authorized by law, shall be
 16 strictly complied with in disbursement of said funds.

17
 18 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General Assembly
 19 that any funds disbursed under the authority of the appropriations contained
 20 in this act shall be in compliance with the stated reasons for which this act
 21 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 22 and Legislative Recommendations contained in the budget manuals prepared by
 23 the Department of Finance and Administration, letters, or summarized oral
 24 testimony in the official minutes of the Arkansas Legislative Council or
 25 Joint Budget Committee which relate to its passage and adoption.

26
 27 SECTION 17. EMERGENCY CLAUSE. It is found and determined by the General
 28 Assembly, that the Constitution of the State of Arkansas prohibits the
 29 appropriation of funds for more than a two (2) year period; that the
 30 effectiveness of this Act on July 1, 2007 is essential to the operation of
 31 the agency for which the appropriations in this Act are provided, and that in
 32 the event of an extension of the Regular Session, the delay in the effective
 33 date of this Act beyond July 1, 2007 could work irreparable harm upon the
 34 proper administration and provision of essential governmental programs.
 35 Therefore, an emergency is hereby declared to exist and this Act being
 36 necessary for the immediate preservation of the public peace, health and

safety shall be in full force and effect from and after July 1, 2007.

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