

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 1327

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 OFFICE OF
11 ATTORNEY GENERAL FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 2009; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE OFFICE OF ATTORNEY
16 GENERAL APPROPRIATION FOR THE 2007-2009
17 BIENNIUM.
18
19
20

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

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



1	Item	Class		No. of	Fiscal Years	
2	No.	Code	Title	Employees	2007-2008	2008-2009
3	(1)	7304	ATTORNEY GENERAL I	2	\$93,822	\$95,698
4	(2)	7305	ATTORNEY GENERAL II	8	\$90,809	\$92,625
5	(3)	7061	ATTORNEY GENERAL III	8	\$85,205	\$86,909
6	(4)	7307	ATTORNEY GENERAL IV	5	\$77,735	\$79,289
7	(5)	7308	ATTORNEY GENERAL V	10	\$73,850	\$75,327
8	(6)	7303	NETWORK ADMINISTRATOR	1	\$71,394	\$72,821
9	(7)	7314	ATTORNEY GENERAL VI	11	\$66,973	\$68,312
10	(8)	7197	CHIEF FISCAL OFFICER	1	\$66,817	\$68,153
11	(9)	7286	FINANCIAL MANAGER	1	\$63,745	\$65,019
12	(10)	7317	ATTORNEY GENERAL VII	13	\$60,897	\$62,114
13	(11)	7290	EXECUTIVE ASSISTANT	1	\$60,897	\$62,114
14	(12)	7322	OMBUDSMAN	1	\$56,517	\$57,647
15	(13)	7288	INVESTIGATOR I	1	\$54,399	\$55,486
16	(14)	7311	ADMINISTRATIVE AID	1	\$54,047	\$55,127
17	(15)	7312	PUBLIC INFORMATION OFFICER	1	\$53,641	\$54,713
18	(16)	7287	FISCAL SPECIALIST	1	\$52,490	\$53,539
19	(17)	7198	HUMAN RESOURCES DIRECTOR	1	\$50,459	\$51,468
20	(18)	7292	COMMUNICATIONS OFFICER	1	\$50,306	\$51,312
21	(19)	7998	ATTORNEY GENERAL VIII	4	\$48,378	\$49,345
22	(20)	9450	NETWORK SPECIALIST I	1	\$47,277	\$48,222
23	(21)	8057	LOGISTICS MANAGER	1	\$46,934	\$47,872
24	(22)	7334	LAW ED DIRECTOR	1	\$46,839	\$47,775
25	(23)	8054	ADMINISTRATIVE ASSISTANT I	2	\$44,497	\$45,386
26	(24)	8058	PARALEGAL II	1	\$43,226	\$44,090
27	(25)	8051	INVESTIGATOR III	1	\$43,226	\$44,090
28	(26)	8044	NETWORK SPECIALIST II	1	\$43,226	\$44,090
29	(27)	7323	EXECUTIVE SECRETARY	1	\$42,049	\$42,889
30	(28)	8916	LAW ED INSTRUCTOR	4	\$40,984	\$41,803
31	(29)	7294	ADMINISTRATIVE ASSISTANT II	1	\$40,984	\$41,803
32	(30)	8050	ASSISTANT AG/LIBRARIAN	1	\$40,248	\$41,052
33	(31)	7325	INVESTIGATOR IV	4	\$40,154	\$40,957
34	(32)	7332	SECRETARY I	5	\$39,812	\$40,608
35	(33)	7328	SECRETARY II	5	\$37,471	\$38,220
36	(34)	7293	PURCHASING AGENT	1	\$36,435	\$37,163

1	(35)	7556	CONSUMER COUNSELOR	2	\$36,072	\$36,793
2	(36)	7329	SECRETARY III	12	\$35,128	\$35,830
3	(37)	8047	RECEPTIONIST I	2	\$33,840	\$34,516
4	(38)	8045	COURIER	1	\$32,447	\$33,095
5	(39)	8063	ADMINISTRATIVE ASSISTANT IV	<u>1</u>	\$24,701	\$25,195
6			MAX. NO. OF EMPLOYEES	120		

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8 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 9 Office of Attorney General for the 2007-2009 biennium, the following maximum
 10 number of part-time or temporary employees, to be known as "Extra Help",
 11 payable from funds appropriated herein for such purposes: eight (8)
 12 temporary or part-time employees, when needed, at rates of pay not to exceed
 13 those provided in the Uniform Classification and Compensation Act, or its
 14 successor, or this act for the appropriate classification.

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16 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 17 the Office of Attorney General, to be payable from the State Central Services
 18 Fund, for personal services and operating expenses of the Office of Attorney
 19 General for the biennial period ending June 30, 2009, the following:

21	ITEM	FISCAL YEARS	
22	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
23	(01) REGULAR SALARIES	\$ 6,928,432	\$ 7,066,942
24	(02) EXTRA HELP	36,000	36,000
25	(03) PERSONAL SERVICES MATCHING	1,922,320	1,950,617
26	(04) MAINT. & GEN. OPERATION		
27	(A) OPER. EXPENSE	1,606,910	1,606,910
28	(B) CONF. & TRAVEL	91,800	91,800
29	(C) PROF. FEES	176,501	176,501
30	(D) CAP. OUTLAY	0	0
31	(E) DATA PROC.	<u>0</u>	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 10,761,963</u>	<u>\$ 10,928,770</u>

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34 SECTION 4. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM. There is
 35 hereby established for the Office of Attorney General - Crime Victims
 36 Reparations Program for the 2007-2009 biennium, the following maximum number

1 of regular employees whose salaries shall be governed by the provisions of
 2 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
 3 seq.), or its successor, and all laws amendatory thereto. Provided, however,
 4 that any position to which a specific maximum annual salary is set out herein
 5 in dollars, shall be exempt from the provisions of said Uniform
 6 Classification and Compensation Act. All persons occupying positions
 7 authorized herein are hereby governed by the provisions of the Regular
 8 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
 9 successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2007-2008	2008-2009
15	(1) 9842	ATTORNEY GENERAL VII	1	\$68,737	\$70,111
16	(2) 7903	CRIME VICTIM ADMINISTRATOR	1	\$46,839	\$47,775
17	(3) 9843	FISCAL SPECIALIST II	1	\$43,448	\$44,316
18	(4) 9841	INVESTIGATOR III	<u>8</u>	\$40,154	\$40,957
19	MAX. NO. OF EMPLOYEES		11		

21 SECTION 5. EXTRA HELP - CRIME VICTIMS REPARATIONS PROGRAM. There is
 22 hereby authorized, for the Office of Attorney General - Crime Victims
 23 Reparations Program for the 2007-2009 biennium, the following maximum number
 24 of part-time or temporary employees, to be known as "Extra Help", payable
 25 from funds appropriated herein for such purposes: two (2) temporary or part-
 26 time employees, when needed, at rates of pay not to exceed those provided in
 27 the Uniform Classification and Compensation Act, or its successor, or this
 28 act for the appropriate classification.

30 SECTION 6. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM. There is
 31 hereby appropriated, to the Office of Attorney General, to be payable from
 32 the Crime Victims Reparations Revolving Fund, for personal services,
 33 operating expenses and the payment of claims by the Office of Attorney
 34 General - Crime Victims Reparations Program for the biennial period ending
 35 June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 480,256	\$ 489,858
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERVICES MATCHING	145,105	147,067
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	73,801	75,999
(B) CONF. & TRAVEL	15,600	16,000
(C) PROF. FEES	10,300	10,600
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(05) CLAIMS	<u>3,082,750</u>	<u>3,077,986</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,817,812</u>	<u>\$ 3,827,510</u>

SECTION 7. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM - FEDERAL.

There is hereby established for the Office of Attorney General - Crime Victims Reparations Program - Federal for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				Fiscal Years 2007-2008	Fiscal Years 2008-2009
(1)	7331	ADMINISTRATIVE ASSISTANT III	<u>1</u>	\$28,233	\$28,797
		MAX. NO. OF EMPLOYEES	1		

SECTION 8. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM - FEDERAL.

There is hereby appropriated, to the Office of Attorney General, to be

1 payable from the federal funds as designated by the Chief Fiscal Officer of
 2 the State, for personal services, operating expenses and the payment of
 3 claims by the Office of Attorney General - Crime Victims Reparations Program
 4 - Federal for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 28,233	\$ 28,797
(02) PERSONAL SERVICES MATCHING	9,967	10,083
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	26,900	26,900
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) CLAIMS	<u>1,413,799</u>	<u>1,413,799</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,478,899</u>	<u>\$ 1,479,579</u>

19 SECTION 9. REGULAR SALARIES - MEDICAID FRAUD DIVISION - STATE. There is
 20 hereby established for the Office of Attorney General - Medicaid Fraud
 21 Division - State for the 2007-2009 biennium, the following maximum number of
 22 regular employees whose salaries shall be governed by the provisions of the
 23 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
 24 seq.), or its successor, and all laws amendatory thereto. Provided, however,
 25 that any position to which a specific maximum annual salary is set out herein
 26 in dollars, shall be exempt from the provisions of said Uniform
 27 Classification and Compensation Act. All persons occupying positions
 28 authorized herein are hereby governed by the provisions of the Regular
 29 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
 30 successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2007-2008	2008-2009
(1)	9839	ATTORNEY GENERAL II	1	\$98,627	\$100,599

1	(2)	9840	ATTORNEY GENERAL VI	2	\$73,377	\$74,844
2	(3)	9449	AUDITOR	1	\$66,973	\$68,312
3	(4)	7329	SECRETARY III	<u>1</u>	\$35,128	\$35,830
4			MAX. NO. OF EMPLOYEES	5		

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6 SECTION 10. APPROPRIATION - MEDICAID FRAUD DIVISION - STATE. There is
7 hereby appropriated, to the Office of Attorney General, to be payable from
8 the State Central Services Fund, for personal services and operating expenses
9 of the Office of Attorney General - Medicaid Fraud Division - State for the
10 biennial period ending June 30, 2009, the following:

12	ITEM		FISCAL YEARS	
13	<u>NO.</u>		<u>2007-2008</u>	<u>2008-2009</u>
14	(01)	REGULAR SALARIES	\$ 347,482	\$ 354,429
15	(02)	PERSONAL SERVICES MATCHING	91,990	93,408
16	(03)	MAINT. & GEN. OPERATION		
17	(A)	OPER. EXPENSE	63,300	65,200
18	(B)	CONF. & TRAVEL	11,199	11,500
19	(C)	PROF. FEES	7,400	7,500
20	(D)	CAP. OUTLAY	6,700	7,000
21	(E)	DATA PROC.	<u>0</u>	<u>0</u>
22		TOTAL AMOUNT APPROPRIATED	<u>\$ 528,071</u>	<u>\$ 539,037</u>

23
24 SECTION 11. REGULAR SALARIES - MEDICAID FRAUD DIVISION - FEDERAL. There
25 is hereby established for the Office of Attorney General - Medicaid Fraud
26 Division - Federal for the 2007-2009 biennium, the following maximum number
27 of regular employees whose salaries shall be governed by the provisions of
28 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
29 seq.), or its successor, and all laws amendatory thereto. Provided, however,
30 that any position to which a specific maximum annual salary is set out herein
31 in dollars, shall be exempt from the provisions of said Uniform
32 Classification and Compensation Act. All persons occupying positions
33 authorized herein are hereby governed by the provisions of the Regular
34 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
35 successor.

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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate		
				2007-2008	2008-2009	
1	(1)	7296	MEDICAID DIRECTOR	1	\$90,809	\$92,625
2	(2)	9836	ATTORNEY GENERAL IV	1	\$85,786	\$87,501
3	(3)	9837	ATTORNEY GENERAL V	1	\$77,801	\$79,357
4	(4)	7297	MEDICAID ASST DIRECTOR	1	\$77,735	\$79,289
5	(5)	8803	INVESTIGATOR I	1	\$59,112	\$60,294
6	(6)	7299	INVESTIGATOR II	8	\$53,912	\$54,990
7	(7)	7591	ANALYST	1	\$46,764	\$47,699
8	(8)	9838	PARALEGAL II	1	\$40,202	\$41,006
9	(9)	7328	SECRETARY II	1	\$37,471	\$38,220
10	(10)	7300	CASE COORDINATOR	<u>1</u>	\$37,471	\$38,220
11	MAX. NO. OF EMPLOYEES			17		

SECTION 12. EXTRA HELP - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby authorized, for the Office of Attorney General - Medicaid Fraud Division - Federal for the 2007-2009 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 13. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Office of Attorney General - Medicaid Fraud Division - Federal for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 984,447	\$ 1,004,131
(02) EXTRA HELP	25,000	25,000

1	(03) PERSONAL SERVICES MATCHING	274,496	278,517
2	(04) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	185,291	190,841
4	(B) CONF. & TRAVEL	34,000	35,100
5	(C) PROF. FEES	22,800	23,450
6	(D) CAP. OUTLAY	25,500	26,000
7	(E) DATA PROC.	<u>0</u>	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,551,534</u>	<u>\$ 1,583,039</u>

9

10 SECTION 14. APPROPRIATION - MEDICAID FRAUD DIVISION - INDIRECT COSTS.

11 There is hereby appropriated, to the Office of Attorney General, to be

12 payable from the federal funds as designated by the Chief Fiscal Officer of

13 the State, for operating expenses of the Office of Attorney General -

14 Medicaid Fraud Division - Indirect Costs for the biennial period ending June

15 30, 2009, the following:

17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
19	(01) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	\$ 215,000	\$ 215,000
21	(B) CONF. & TRAVEL	0	0
22	(C) PROF. FEES	50,000	50,000
23	(D) CAP. OUTLAY	25,000	25,000
24	(E) DATA PROC.	<u>0</u>	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 290,000</u>	<u>\$ 290,000</u>

26

27 SECTION 15. APPROPRIATION - SPYWARE MONITORING. There is hereby

28 appropriated, to the Office of Attorney General, to be payable from the

29 Spyware Monitoring Fund, for administrative expenses and other associated

30 expenses for the enforcement activities and monitoring of spyware by the

31 Office of Attorney General - Spyware Monitoring for the biennial period

32 ending June 30, 2009, the sum of\$100,000.

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34 SECTION 16. APPROPRIATION - SPYWARE MONITORING - STATE. There is hereby

35 appropriated, to the Office of Attorney General, to be payable from the

36 Miscellaneous Agencies Fund Account, for administrative expenses and other

1 associated expenses for the enforcement activities and monitoring of spyware
2 by the Office of Attorney General – Spyware Monitoring - State for the
3 biennial period ending June 30, 2009, the sum of\$100,000.
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5 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ATTORNEY
7 FEES. The disbursing officer of the appropriations provided for herein,
8 shall deposit all monies received by the Office of Attorney General as
9 attorney fees in the State Central Services Fund as direct revenues.

10 The provisions of this section shall be in effect only from July 1, ~~2005~~
11 2007 through June 30, ~~2007~~ 2009.

12
13 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPENDING
15 FLEXIBILITY. In the event that the Office of the Attorney General determines
16 that it is in the best interest of the State to use some portion of its total
17 appropriation authority as approved by the General Assembly for a different
18 line item than that for which it was appropriated, then the Office of
19 Attorney General is authorized to do so, upon review of the Arkansas
20 Legislative Council or Joint Budget Committee. The Attorney General may
21 transfer funds and appropriations among line items so long as the total
22 expenditures for the Office do not exceed the total appropriation authorized
23 for the Attorney General’s Office. The provisions of this section shall be in
24 effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

25
26 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
27 by this act shall be limited to the appropriation for such agency and funds
28 made available by law for the support of such appropriations; and the
29 restrictions of the State Procurement Law, the General Accounting and
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
31 Procedures and Restrictions Act, or their successors, and other fiscal
32 control laws of this State, where applicable, and regulations promulgated by
33 the Department of Finance and Administration, as authorized by law, shall be
34 strictly complied with in disbursement of said funds.

35
36 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General Assembly

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

8
9 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly, that the Constitution of the State of Arkansas prohibits the
11 appropriation of funds for more than a two (2) year period; that the
12 effectiveness of this Act on July 1, 2007 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the Regular Session, the delay in the effective
15 date of this Act beyond July 1, 2007 could work irreparable harm upon the
16 proper administration and provision of essential governmental programs.
17 Therefore, an emergency is hereby declared to exist and this Act being
18 necessary for the immediate preservation of the public peace, health and
19 safety shall be in full force and effect from and after July 1, 2007.

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