

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 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

HOUSE BILL 1258

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 STATE  
11 INSURANCE DEPARTMENT FOR THE FISCAL YEAR ENDING  
12 JUNE 30, 2010; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE STATE INSURANCE  
16 DEPARTMENT APPROPRIATION FOR THE  
17 2009-2010 FISCAL YEAR.  
18  
19  
20

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
24 Insurance Department for the 2009-2010 fiscal year, the following maximum  
25 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.  
34

35 Maximum Annual  
36 Maximum Salary Rate



1	Item	Class		No. of	Fiscal Year
2	No.	Code	Title	Employees	2009-2010
3	(1)	U042U	INSURANCE CHIEF DEPUTY COMMISSIONER	1	\$156,987
4	(2)	U047U	STATE INSURANCE COMMISSIONER	1	\$119,033
5	(3)	N014N	INSURANCE DEP COMMISS FINANCIAL REG	1	GRADE N912
6	(4)	N023N	INSURANCE DEPUTY COMMISSIONER	2	GRADE N910
7	(5)	N025N	INSURANCE DEPUTY COMMISSIONER INFO SVCS	1	GRADE N910
8	(6)	N073N	INSURANCE CHF FIN/MKT CONDUCT EXMR	1	GRADE N908
9	(7)	A103C	CERTIFIED FINANCIAL EXAMINER MGR	3	GRADE N906
10	(8)	N115N	CRIMINAL INSURANCE FRAUD DIRECTOR	1	GRADE N904
11	(9)	G018N	DIRECTOR RISK MANAGEMENT	1	GRADE N904
12	(10)	D010N	INSURANCE CHIEF TECHNOLOGY OFFICER	1	GRADE N904
13	(11)	N140N	INS ASST DEP COMMISSIONER FINANCE	1	GRADE N902
14	(12)	A004C	CERTIFIED FINANCIAL EXAMINER	12	GRADE C130
15	(13)	X002C	INSURANCE PUBLIC EMP CLAIMS DIV DIR	1	GRADE C130
16	(14)	G004C	MANAGING ATTORNEY	3	GRADE C129
17	(15)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
18	(16)	X005C	PROPERTY & CASUALTY MANAGER	1	GRADE C128
19	(17)	G008C	RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE C128
20	(18)	G047C	ATTORNEY SPECIALIST	7	GRADE C126
21	(19)	X009C	INSURANCE DEPT DIR OF SECURITY OPS	1	GRADE C126
22	(20)	X018C	INSURANCE CONSUMER PROTECTION MGR	1	GRADE C124
23	(21)	X017C	INSURANCE LICENSING MANAGER	1	GRADE C124
24	(22)	G064C	SR HLTH INSURANCE INFO PRG MGR	1	GRADE C124
25	(23)	D022C	SYSTEMS SPECIALIST	4	GRADE C124
26	(24)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
27	(25)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE C123
28	(26)	A043C	INSURANCE FORENSIC ACCOUNTANT	1	GRADE C122
29	(27)	A042C	INSURANCE SENIOR EXAMINER	3	GRADE C122
30	(28)	X034C	PREPAID FUNERAL MANAGER	1	GRADE C122
31	(29)	D044C	SYSTEMS ANALYST	1	GRADE C122
32	(30)	R014C	PERSONNEL MANAGER	1	GRADE C121
33	(31)	D052C	SOFTWARE SUPPORT ANALYST	4	GRADE C121
34	(32)	G106C	WCC CLAIMS SPECIALIST	6	GRADE C121
35	(33)	G107C	WCC PROGRAM MANAGER	1	GRADE C121
36	(34)	G125C	INSURANCE SPECIAL PROJECTS COORD	1	GRADE C120

1	(35)	G120C	RISK CONSULTANT	8	GRADE C120
2	(36)	X072C	CRIMINAL INSURANCE FRAUD INVESTIGATOR	7	GRADE C119
3	(37)	A067C	INSURANCE EXAMINER	2	GRADE C119
4	(38)	X066C	INSURANCE PREMIUM TAX EXAMINER	4	GRADE C119
5	(39)	A060C	SENIOR AUDITOR	2	GRADE C119
6	(40)	X083C	INSURANCE LIFE & HEALTH COMP OFCR	4	GRADE C118
7	(41)	X080C	PROPERTY & CASUALTY COMPLIANCE OFCR	4	GRADE C118
8	(42)	X076C	TITLE INSURANCE COMPLIANCE OFFICER	1	GRADE C118
9	(43)	A080C	FINANCE AUTHORITY SPECIALIST	1	GRADE C117
10	(44)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
11	(45)	C016C	INSURANCE ADMINISTRATIVE COORD	2	GRADE C117
12	(46)	P020C	PRODUCTION ARTIST	1	GRADE C117
13	(47)	X123C	INSURANCE INVESTIGATOR	9	GRADE C116
14	(48)	C037C	ADMINISTRATIVE ANALYST	7	GRADE C115
15	(49)	R033C	BENEFITS ANALYST	1	GRADE C115
16	(50)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
17	(51)	G202C	VOLUNTEER PROGRAM COORDINATOR	3	GRADE C115
18	(52)	G201C	WCC CLAIMS ANALYST	3	GRADE C115
19	(53)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
20	(54)	C046C	LEGAL SUPPORT SPECIALIST	4	GRADE C113
21	(55)	C056C	ADMINISTRATIVE SPECIALIST III	14	GRADE C112
22	(56)	A098C	FISCAL SUPPORT SPECIALIST	4	GRADE C112
23	(57)	X180C	INSURANCE LICENSING TECHNICIAN	10	GRADE C110
24	(58)	C073C	ADMINISTRATIVE SPECIALIST II	16	GRADE C109
25	(59)	C084C	MAIL SERVICES SPECIALIST	2	GRADE C107
26	(60)	C087C	ADMINISTRATIVE SPECIALIST I	<u>3</u>	GRADE C106
27			MAX. NO. OF EMPLOYEES	184	

28

29 SECTION 2. EXTRA HELP. There is hereby authorized, for the State  
 30 Insurance Department for the 2009-2010 fiscal year, the following maximum  
 31 number of part-time or temporary employees, to be known as "Extra Help",  
 32 payable from funds appropriated herein for such purposes: nineteen (19)  
 33 temporary or part-time employees, when needed, at rates of pay not to exceed  
 34 those provided in the Uniform Classification and Compensation Act, or its  
 35 successor, or this act for the appropriate classification.

36

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the State Insurance Department, to be payable from the State Insurance Department Trust Fund, for personal services and operating expenses of the State Insurance Department - Operations for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REGULAR SALARIES	\$ 6,433,129
(02) EXTRA HELP	140,000
(03) PERSONAL SERVICES MATCHING	1,919,390
(04) OVERTIME	35,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	2,035,000
(B) CONF. & TRAVEL	138,000
(C) PROF. FEES	60,000
(D) CAP. OUTLAY	160,000
(E) DATA PROC.	150,000
(06) SPECIAL MAINTENANCE	50,000
(07) PROFESSIONAL SERVICES	<u>386,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 11,506,519</u>

SECTION 4. APPROPRIATION - FRAUD INVESTIGATION UNIT. There is hereby appropriated, to the State Insurance Department, to be payable from the State Insurance Department Trust Fund, for personal services and operating expenses of the State Insurance Department - Fraud Investigation Unit for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REGULAR SALARIES	\$ 170,017
(02) PERSONAL SERVICES MATCHING	52,737
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	90,406
(B) CONF. & TRAVEL	12,000
(C) PROF. FEES	11,000

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 336,160</u>

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5 SECTION 5. APPROPRIATION - INSURANCE FRAUD INVESTIGATION DIVISION. There

6 is hereby appropriated, to the State Insurance Department, to be payable from

7 the Insurance Fraud Investigation Division Trust Fund, for personal services

8 and operating expenses of the State Insurance Department - Insurance Fraud

9 Investigation Division for the fiscal year ending June 30, 2010, the

10 following:

11	ITEM	FISCAL YEAR
12		
13	<u>NO.</u>	<u>2009-2010</u>
14	(01) REGULAR SALARIES	\$ 614,062
15	(02) PERSONAL SERVICES MATCHING	177,995
16	(03) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	171,635
18	(B) CONF. & TRAVEL	35,000
19	(C) PROF. FEES	11,000
20	(D) CAP. OUTLAY	7,000
21	(E) DATA PROC.	<u>1,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,017,692</u>

23

24 SECTION 6. APPROPRIATION - PREPAID FUNERAL BENEFITS DIVISION. There is

25 hereby appropriated, to the State Insurance Department, to be payable from

26 the State Insurance Department Prepaid Trust Fund, for personal services and

27 operating expenses of the State Insurance Department - Prepaid Funeral

28 Benefits Division for the fiscal year ending June 30, 2010, the following:

29	ITEM	FISCAL YEAR
30		
31	<u>NO.</u>	<u>2009-2010</u>
32	(01) REGULAR SALARIES	\$ 191,369
33	(02) PERSONAL SERVICES MATCHING	56,799
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	69,390
36	(B) CONF. & TRAVEL	4,000

1	(C) PROF. FEES	27,000
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>2,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 350,558</u>

5

6 SECTION 7. APPROPRIATION - PREPAID FUNERAL CONTRACTS RECOVERY PROGRAM.

7 There is hereby appropriated, to the State Insurance Department, to be

8 payable from the Prepaid Funeral Contracts Recovery Program Fund, for

9 expenses and claims of the Prepaid Funeral Contracts Recovery Program of the

10 State Insurance Department for the fiscal year ending June 30, 2010, the

11 following:

12		
13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2009-2010</u>
15	(01) EXPENSES AND CLAIMS FOR PREPAID	
16	FUNERAL CONTRACTS RECOVERY PROGRAM	<u>\$ 500,000</u>

17

18 SECTION 8. APPROPRIATION - REFUNDS OF OVERPAYMENTS. There is hereby

19 appropriated, to the State Insurance Department, to be payable from the

20 Miscellaneous Revolving Fund, for the payment of miscellaneous tax and fee

21 refunds by the State Insurance Department for the fiscal year ending June 30,

22 2010, the following:

23		
24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2009-2010</u>
26	(01) REFUNDS/REIMBURSEMENTS	<u>\$ 11,000,000</u>

27

28 SECTION 9. APPROPRIATION - CONTINUING EDUCATION PROGRAM. There is hereby

29 appropriated, to the State Insurance Department, to be payable from the

30 Insurance Continuing Education Trust Fund, for personal services of the State

31 Insurance Department - Continuing Education Program for the fiscal year

32 ending June 30, 2010, the following:

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34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2009-2010</u>
36	(01) REGULAR SALARIES	\$ 25,268

1	(02) PERSONAL SERVICES MATCHING	<u>9,906</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 35,174</u>

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4 SECTION 10. APPROPRIATION - HEALTH INFORMATION COUNSELING. There is hereby  
 5 appropriated, to the State Insurance Department, to be payable from the  
 6 federal funds as designated by the Chief Fiscal Officer of the State, for  
 7 personal services and operating expenses of the State Insurance Department -  
 8 Health Information Counseling for the fiscal year ending June 30, 2010, the  
 9 following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2009-2010</u>
13	(01) REGULAR SALARIES	\$ 152,720
14	(02) PERSONAL SERVICES MATCHING	54,546
15	(03) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	282,463
17	(B) CONF. & TRAVEL	0
18	(C) PROF. FEES	356,409
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	<u>1,600</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$ 847,738</u>

22

23 SECTION 11. APPROPRIATION - CONSUMER INFORMATION SYSTEM - CASH. There is  
 24 hereby appropriated, to the State Insurance Department, to be payable from  
 25 the cash fund deposited in the State Treasury as determined by the Chief  
 26 Fiscal Officer of the State, for operating expenses of the State Insurance  
 27 Department - Consumer Information System - Cash for the fiscal year ending  
 28 June 30, 2010, the following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2009-2010</u>
32	(01) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	\$ 166,425
34	(B) CONF. & TRAVEL	0
35	(C) PROF. FEES	0
36	(D) CAP. OUTLAY	0

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 166,425</u>

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 4 SECTION 12. APPROPRIATION - TRAVEL AND SUBSISTENCE - CASH. There is hereby  
 5 appropriated, to the State Insurance Department, to be payable from the cash  
 6 fund deposited in the State Treasury as determined by the Chief Fiscal  
 7 Officer of the State, for travel and subsistence expenses of the State  
 8 Insurance Department for the fiscal year ending June 30, 2010, the following:

10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2009-2010</u>
12	(01) TRAVEL & SUBSISTENCE EXPENSES	<u>\$ 100,000</u>

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 14 SECTION 13. APPROPRIATION - PUBLIC EMPLOYEE CLAIMS SECTION. There is  
 15 hereby appropriated, to the State Insurance Department, to be payable from  
 16 the Miscellaneous Agencies Fund Account, for personal services and operating  
 17 expenses of the State Insurance Department - Public Employee Claims Section  
 18 for the fiscal year ending June 30, 2010, the following:

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2009-2010</u>
22	(01) REGULAR SALARIES	\$ 956,504
23	(02) PERSONAL SERVICES MATCHING	304,328
24	(03) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	233,209
26	(B) CONF. & TRAVEL	13,000
27	(C) PROF. FEES	1,000
28	(D) CAP. OUTLAY	15,000
29	(E) DATA PROC.	<u>4,000</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,527,041</u>

31  
 32 SECTION 14. APPROPRIATION - STATE EMPLOYEE CLAIMS. There is hereby  
 33 appropriated, to the State Insurance Department, to be payable from the  
 34 Workers' Compensation Revolving Fund, for the payment of state employee  
 35 claims by the State Insurance Department - State Employee Claims for the  
 36 fiscal year ending June 30, 2010, the following:



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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) STATE EMPLOYEE CLAIMS	<u>\$ 14,000,000</u>

SECTION 15. APPROPRIATION - PUBLIC SCHOOL EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for the payment of public school employee claims by the State Insurance Department - Public School Employee Claims for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) PUBLIC SCHOOL EMPLOYEE CLAIMS	<u>\$ 450,000</u>

SECTION 16. APPROPRIATION - COUNTY EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for the payment of county employee claims by the State Insurance Department - County Employee Claims for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) COUNTY EMPLOYEE CLAIMS	<u>\$ 200,000</u>

SECTION 17. APPROPRIATION - CITY EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for the payment of city employee claims by the State Insurance Department - City Employee Claims for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) CITY EMPLOYEE CLAIMS	<u>\$ 600,000</u>

SECTION 18. APPROPRIATION - GOVERNMENTAL BONDING BOARD. There is hereby

1 appropriated, to the State Insurance Department, to be payable from the  
 2 Fidelity Bond Trust Fund, for operating expenses of the State Insurance  
 3 Department - Governmental Bonding Board for the fiscal year ending June 30,  
 4 2010, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2009-2010</u>
8 (01) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	\$ 5,000
10 (B) CONF. & TRAVEL	0
11 (C) PROF. FEES	0
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	0
14 (02) REFUNDS/REIMBURSEMENTS	150,000
15 (03) CLAIMS	1,000,000
16 (04) INVESTMENTS	760,637
17 (05) PROFESSIONAL SERVICES	50,000
18 (06) REINSURANCE	<u>139,218</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,104,855</u>

20  
 21 SECTION 19. APPROPRIATION - ARKANSAS MULTI-AGENCY INSURANCE TRUST FUND  
 22 OPERATIONS. There is hereby appropriated, to the State Insurance Department,  
 23 to be payable from the Arkansas Multi-Agency Insurance Trust Fund, for  
 24 expenses and payment of claims by the State Insurance Department - Arkansas  
 25 Multi-Agency Insurance Trust Fund Operations for the fiscal year ending June  
 26 30, 2010, the following:

28 ITEM	FISCAL YEAR
29 <u>NO.</u>	<u>2009-2010</u>
30 (01) FOR EXPENSES AND CLAIMS FROM AMAIT	
31 FUND	<u>\$ 10,000,000</u>

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 33 SECTION 20. APPROPRIATION - PUBLIC SCHOOL INSURANCE PROGRAM. There is  
 34 hereby appropriated, to the State Insurance Department, to be payable from  
 35 the Public School Insurance Trust Fund, for expenses and payment of claims by  
 36 the State Insurance Department - Public School Insurance Program for the

1 fiscal year ending June 30, 2010, the following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2009-2010</u>
5 (01) EXPENSES AND CLAIMS	<u>\$ 14,000,000</u>

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7 SECTION 21. APPROPRIATION - CRIMINAL BACKGROUND CHECKS - CASH. There is  
 8 hereby appropriated, to the State Insurance Department, to be payable from  
 9 the cash fund deposited in the State Treasury as determined by the Chief  
 10 Fiscal Officer of the State, for operating expenses of the State Insurance  
 11 Department - Criminal Background Checks - Cash for the fiscal year ending  
 12 June 30, 2010, the following:

13

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2009-2010</u>
16 (01) MAINT. & GEN. OPERATION	
17 (A) OPER. EXPENSE	\$ 125,000
18 (B) CONF. & TRAVEL	0
19 (C) PROF. FEES	0
20 (D) CAP. OUTLAY	0
21 (E) DATA PROC.	<u>0</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$ 125,000</u>

23

24 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 26 PROVISION. In the event the State Insurance Department is unable to maintain  
 27 a full roster of examination personnel ~~during the 2007-2009 Biennium~~, and  
 28 upon approval of the Chief Fiscal Officer of the State, the resulting unused  
 29 appropriations in Regular Salaries, Extra Help, and Personal Services  
 30 Matching may be transferred to the Professional Services special line item  
 31 for the purpose of contracting with qualified individuals or firms for  
 32 examination assistance.

33 The provisions of this section shall be in effect only from July 1,  
 34 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

35

36 SECTION 23. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

1 by this act shall be limited to the appropriation for such agency and funds  
 2 made available by law for the support of such appropriations; and the  
 3 restrictions of the State Procurement Law, the General Accounting and  
 4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 5 Procedures and Restrictions Act, or their successors, and other fiscal  
 6 control laws of this State, where applicable, and regulations promulgated by  
 7 the Department of Finance and Administration, as authorized by law, shall be  
 8 strictly complied with in disbursement of said funds.

9  
 10 SECTION 24. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 11 that any funds disbursed under the authority of the appropriations contained  
 12 in this act shall be in compliance with the stated reasons for which this act  
 13 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 14 and Legislative Recommendations contained in the budget manuals prepared by  
 15 the Department of Finance and Administration, letters, or summarized oral  
 16 testimony in the official minutes of the Arkansas Legislative Council or  
 17 Joint Budget Committee which relate to its passage and adoption.

18  
 19 SECTION 25. EMERGENCY CLAUSE. It is found and determined by the General  
 20 Assembly, that the Constitution of the State of Arkansas prohibits the  
 21 appropriation of funds for more than a one (1) year period; that the  
 22 effectiveness of this Act on July 1, 2009 is essential to the operation of  
 23 the agency for which the appropriations in this Act are provided, and that in  
 24 the event of an extension of the Regular Session, the delay in the effective  
 25 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
 26 proper administration and provision of essential governmental programs.  
 27 Therefore, an emergency is hereby declared to exist and this Act being  
 28 necessary for the immediate preservation of the public peace, health and  
 29 safety shall be in full force and effect from and after July 1, 2009.