

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010
4

A Bill

HOUSE BILL 1095

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 FISCAL YEAR ENDING JUNE
12 30, 2011; AND FOR OTHER PURPOSES.
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Subtitle

15 AN ACT FOR THE OFFICE OF ATTORNEY
16 GENERAL APPROPRIATION FOR THE 2010-2011
17 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
24 the Office of Attorney General for the 2010-2011 fiscal year, 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 Year
2	No.	Code	Title	Employees	2010-2011
3	(1)	Q066U	ATTORNEY GENERAL I	2	\$115,975
4	(2)	Q065U	ATTORNEY GENERAL II	9	\$106,000
5	(3)	Q124U	ATTORNEY GENERAL III	11	\$97,303
6	(4)	Q064U	ATTORNEY GENERAL IV	6	\$92,199
7	(5)	Q102U	CHIEF FISCAL OFFICER	1	\$86,582
8	(6)	Q063U	ATTORNEY GENERAL V	9	\$83,618
9	(7)	Q067U	NETWORK ADMINISTRATOR	1	\$82,481
10	(8)	Q061U	ATTORNEY GENERAL VI	11	\$78,862
11	(9)	Q008U	CHIEF INVESTIGATOR	1	\$78,618
12	(10)	Q009U	COMMUNITY RELATIONS DIRECTOR	1	\$77,425
13	(11)	Q060U	ATTORNEY GENERAL VII	14	\$73,875
14	(12)	Q062U	PUBLIC INFORMATION OFFICER	1	\$73,000
15	(13)	Q072U	COMMUNICATIONS OFFICER	1	\$68,017
16	(14)	Q033U	LOGISTICS DIRECTOR	1	\$66,364
17	(15)	Q075U	FISCAL SPECIALIST I	1	\$66,076
18	(16)	Q059U	OMBUDSMAN	1	\$62,511
19	(17)	Q101U	HUMAN RESOURCES DIRECTOR	1	\$61,121
20	(18)	Q128U	ATTORNEY GENERAL VIII	4	\$60,769
21	(19)	Q070U	INVESTIGATOR II	2	\$60,168
22	(20)	Q034U	ADMINISTRATIVE ASSISTANT I	1	\$59,779
23	(21)	Q002U	LEGAL ASSISTANT	1	\$58,102
24	(22)	Q052U	LAW ED ADMINISTRATOR	1	\$56,409
25	(23)	Q073U	EXECUTIVE ASSISTANT	1	\$56,186
26	(24)	Q006U	LAW ED INSTRUCTOR I	2	\$55,303
27	(25)	Q058U	EXECUTIVE SECRETARY	1	\$54,000
28	(26)	Q023U	NETWORK SPECIALIST I	1	\$52,291
29	(27)	Q004U	ASST LOGISTICS DIRECTOR	1	\$50,127
30	(28)	Q035U	LIBRARIAN	1	\$48,270
31	(29)	Q007U	FISCAL SPECIALIST II	1	\$48,055
32	(30)	Q057U	INVESTIGATOR IV	5	\$47,810
33	(31)	Q037U	NETWORK SPECIALIST II	1	\$47,810
34	(32)	Q053U	SECRETARY I	7	\$46,510
35	(33)	Q071U	ADMINISTRATIVE ASSISTANT II	3	\$45,330
36	(34)	Q032U	LAW ED INSTRUCTOR II	1	\$45,330

1	(35)	Q025U	PARALEGAL I	2	\$44,466
2	(36)	Q127U	INVESTIGATOR V	5	\$44,413
3	(37)	Q056U	SECRETARY II	3	\$44,035
4	(38)	Q047U	CONSUMER COUNSELOR	4	\$39,898
5	(39)	Q055U	SECRETARY III	10	\$38,853
6	(40)	Q005U	COURIER	1	\$38,853
7	(41)	Q036U	RECEPTIONIST	2	\$37,428
8	(42)	Q132U	COURIER II	1	\$35,888
9	(43)	Q129U	COURIER III	<u>1</u>	\$27,321
10			MAX. NO. OF EMPLOYEES	135	

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12 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 13 Office of Attorney General for the 2010-2011 fiscal year, the following
 14 maximum number of part-time or temporary employees, to be known as "Extra
 15 Help", payable from funds appropriated herein for such purposes: eight (8)
 16 temporary or part-time employees, when needed, at rates of pay not to exceed
 17 those provided in the Uniform Classification and Compensation Act, or its
 18 successor, or this act for the appropriate classification.

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20 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 21 the Office of Attorney General, to be payable from the State Central Services
 22 Fund, for personal services and operating expenses of the Office of Attorney
 23 General for the fiscal year ending June 30, 2011, the following:

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25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2010-2011</u>
27	(01) REGULAR SALARIES	\$ 9,133,858
28	(02) EXTRA HELP	37,224
29	(03) PERSONAL SERVICES MATCHING	2,405,327
30	(04) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	1,862,342
32	(B) CONF. & TRAVEL	100,167
33	(C) PROF. FEES	476,568
34	(D) CAP. OUTLAY	198,000
35	(E) DATA PROC.	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 14,213,486</u>

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SECTION 4. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM. There is hereby established for the Office of Attorney General - Crime Victims Reparations Program for the 2010-2011 fiscal year, 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	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2010-2011
(1)	Q060U	ATTORNEY GENERAL VII	1	\$73,875
(2)	Q038U	CRIME VICTIM ADMINISTRATOR	1	\$56,409
(3)	Q007U	FISCAL SPECIALIST II	1	\$48,055
(4)	Q127U	INVESTIGATOR V	<u>8</u>	\$44,413
MAX. NO. OF EMPLOYEES			11	

SECTION 5. EXTRA HELP - CRIME VICTIMS REPARATIONS PROGRAM. There is hereby authorized, for the Office of Attorney General - Crime Victims Reparations Program for the 2010-2011 fiscal year, 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 6. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM. There is hereby appropriated, to the Office of Attorney General, to be payable from the Crime Victims Reparations Revolving Fund, for personal services,

1 operating expenses and the payment of claims by the Office of Attorney
 2 General - Crime Victims Reparations Program for the fiscal year ending June
 3 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) REGULAR SALARIES	\$ 533,644
(02) EXTRA HELP	14,000
(03) PERSONAL SERVICES MATCHING	158,619
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	80,558
(B) CONF. & TRAVEL	16,974
(C) PROF. FEES	11,246
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) CLAIMS	<u>3,192,982</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,008,023</u>

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19 SECTION 7. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM - FEDERAL.
 20 There is hereby established for the Office of Attorney General - Crime
 21 Victims Reparations Program - Federal for the 2010-2011 fiscal year, the
 22 following maximum number of regular employees whose salaries shall be
 23 governed by the provisions of the Uniform Classification and Compensation Act
 24 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
 25 thereto. Provided, however, that any position to which a specific maximum
 26 annual salary is set out herein in dollars, shall be exempt from the
 27 provisions of said Uniform Classification and Compensation Act. All persons
 28 occupying positions authorized herein are hereby governed by the provisions
 29 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
 30 101), or its successor.

Item	Class	Maximum	Maximum Annual
<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>Salary Rate</u>
		No. of	Fiscal Year
		Employees	2010-2011
(1)	Q054U	ADMINISTRATIVE ASSISTANT III	<u>1</u> \$31,227

1 MAX. NO. OF EMPLOYEES 1

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

4 There is hereby appropriated, to the Office of Attorney General, to be
5 payable from the federal funds as designated by the Chief Fiscal Officer of
6 the State, for personal services, operating expenses and the payment of
7 claims by the Office of Attorney General - Crime Victims Reparations Program
8 - Federal for the fiscal year ending June 30, 2011, the following:

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10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2010-2011</u>
12	(01) REGULAR SALARIES	\$ 32,127
13	(02) PERSONAL SERVICES MATCHING	11,114
14	(03) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	26,900
16	(B) CONF. & TRAVEL	0
17	(C) PROF. FEES	0
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	0
20	(04) CLAIMS	<u>1,499,899</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,570,040</u>

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23 SECTION 9. REGULAR SALARIES - MEDICAID FRAUD DIVISION - STATE. There is
24 hereby established for the Office of Attorney General - Medicaid Fraud
25 Division - State for the 2010-2011 fiscal year, the following maximum number
26 of regular employees whose salaries shall be governed by the provisions of
27 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
28 seq.), or its successor, and all laws amendatory thereto. Provided, however,
29 that any position to which a specific maximum annual salary is set out herein
30 in dollars, shall be exempt from the provisions of said Uniform
31 Classification and Compensation Act. All persons occupying positions
32 authorized herein are hereby governed by the provisions of the Regular
33 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
34 successor.

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Maximum Annual

Item	Class		Maximum No. of Employees	Salary Rate Fiscal Year 2010-2011
(1)	Q065U	ATTORNEY GENERAL II	1	\$106,000
(2)	Q061U	ATTORNEY GENERAL VI	2	\$78,862
(3)	Q024U	AUDITOR	1	\$74,076
(4)	Q055U	SECRETARY III	<u>1</u>	\$38,853
MAX. NO. OF EMPLOYEES			5	

SECTION 10. APPROPRIATION - MEDICAID FRAUD DIVISION - STATE. There is hereby appropriated, to the Office of Attorney General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Office of Attorney General - Medicaid Fraud Division - State for the fiscal year ending June 30, 2011, the following:

ITEM NO.		FISCAL YEAR 2010-2011
(01)	REGULAR SALARIES	\$ 378,654
(02)	PERSONAL SERVICES MATCHING	96,384
(03)	MAINT. & GEN. OPERATION	
(A)	OPER. EXPENSE	67,417
(B)	CONF. & TRAVEL	11,891
(C)	PROF. FEES	7,755
(D)	CAP. OUTLAY	7,000
(E)	DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED		<u>\$ 569,101</u>

SECTION 11. REGULAR SALARIES - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby established for the Office of Attorney General - Medicaid Fraud Division - Federal for the 2010-2011 fiscal year, 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

1 positions authorized herein are hereby governed by the provisions of the
 2 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 3 or its successor.

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2010-2011
9	(1) Q131U	MEDICAID DIRECTOR	1	\$97,598
10	(2) Q064U	ATTORNEY GENERAL IV	1	\$92,199
11	(3) Q063U	ATTORNEY GENERAL V	1	\$83,618
12	(4) Q008U	CHIEF INVESTIGATOR	1	\$78,618
13	(5) Q074U	INVESTIGATOR I	2	\$65,382
14	(6) Q130U	INVESTIGATOR III	5	\$59,630
15	(7) Q003U	NURSE ANALYST	2	\$59,630
16	(8) Q046U	ANALYST	1	\$51,724
17	(9) Q025U	PARALEGAL I	1	\$44,466
18	(10) Q056U	SECRETARY II	1	\$44,035
19	(11) Q069U	CASE COORDINATOR	<u>1</u>	\$41,445
20	MAX. NO. OF EMPLOYEES		17	

22 SECTION 12. EXTRA HELP - MEDICAID FRAUD DIVISION - FEDERAL. There is
 23 hereby authorized, for the Office of Attorney General - Medicaid Fraud
 24 Division - Federal for the 2010-2011 fiscal year, the following maximum
 25 number of part-time or temporary employees, to be known as "Extra Help",
 26 payable from funds appropriated herein for such purposes: two (2) temporary
 27 or part-time employees, when needed, at rates of pay not to exceed those
 28 provided in the Uniform Classification and Compensation Act, or its
 29 successor, or this act for the appropriate classification.

31 SECTION 13. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There is
 32 hereby appropriated, to the Office of Attorney General, to be payable from
 33 the federal funds as designated by the Chief Fiscal Officer of the State, for
 34 personal services and operating expenses of the Office of Attorney General -
 35 Medicaid Fraud Division - Federal for the fiscal year ending June 30, 2011,
 36 the following:

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2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2010-2011</u>
4	(01) REGULAR SALARIES	\$ 1,090,675
5	(02) EXTRA HELP	29,870
6	(03) PERSONAL SERVICES MATCHING	296,466
7	(04) MAINT. & GEN. OPERATION	
8	(A) OPER. EXPENSE	202,286
9	(B) CONF. & TRAVEL	37,206
10	(C) PROF. FEES	24,856
11	(D) CAP. OUTLAY	27,583
12	(E) DATA PROC.	<u>0</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,708,942</u>

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

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 16 There is hereby appropriated, to the Office of Attorney General, to be
 17 payable from the federal funds as designated by the Chief Fiscal Officer of
 18 the State, for operating expenses of the Office of Attorney General -
 19 Medicaid Fraud Division - Indirect Costs for the fiscal year ending June 30,
 20 2011, the following:

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22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2010-2011</u>
24	(01) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	\$ 298,700
26	(B) CONF. & TRAVEL	0
27	(C) PROF. FEES	0
28	(D) CAP. OUTLAY	0
29	(E) DATA PROC.	<u>0</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 298,700</u>

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SECTION 15. APPROPRIATION - SPYWARE MONITORING. There is hereby

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 33 appropriated, to the Office of Attorney General, to be payable from the
 34 Spyware Monitoring Fund, for administrative expenses and other associated
 35 expenses for the enforcement activities and monitoring of spyware by the
 36 Office of Attorney General - Spyware Monitoring for the fiscal year ending

1 June 30, 2011, the following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2010-2011</u>
5 (01) SPYWARE MONITORING	\$ <u>65,990</u>

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7 SECTION 16. APPROPRIATION - INTERNET CRIME CHILD. There is hereby
 8 appropriated, to the Office of Attorney General, to be payable from the
 9 federal funds as designated by the Chief Fiscal Officer of the State, for
 10 operating expenses of the Office of Attorney General - Internet Crime Child
 11 for the fiscal year ending June 30, 2011, the following:

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13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2010-2011</u>
15 (01) MAINT. & GEN. OPERATION	
16 (A) OPER. EXPENSE	\$ 45,450
17 (B) CONF. & TRAVEL	0
18 (C) PROF. FEES	4,550
19 (D) CAP. OUTLAY	0
20 (E) DATA PROC.	<u>0</u>
21 TOTAL AMOUNT APPROPRIATED	\$ <u>50,000</u>

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23 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ATTORNEY
 25 FEES. The disbursing officer of the appropriations provided for herein,
 26 shall deposit all monies received by the Office of Attorney General as
 27 attorney fees in the State Central Services Fund as direct revenues.

28 The provisions of this section shall be in effect only from July 1, ~~2007~~
 29 2010 through June 30, ~~2009~~ 2011.

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31 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 33 FORWARD. Any unexpended balance of funding provided in this Act which
 34 remains at the close of the fiscal year ending June 30, 2010, shall be
 35 carried forward and made available for the same purpose for the fiscal year
 36 ending June 30, 2011.

1 Any carry forward of unexpended balance of funding as authorized herein, may
2 be carried forward under the following conditions:

3 (1) Prior to June 30, 2010 the Agency shall by written statement set forth
4 its reason(s) for the need to carry forward said funding to the Department of
5 Finance and Administration Office of Budget;

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

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

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

25 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
27 PROVISION. After receiving approval from the Chief Fiscal Officer of the
28 State, and prior review by the Arkansas Legislative Council, the Office of
29 Attorney General is authorized to transfer appropriation from any line item
30 authorized in Section 3 Appropriation - Operations of the Office of Attorney
31 General in this Act to any other line item authorized in Section 3.

32 The provisions of this section shall be in effect only from July 1,
33 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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35 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
36 by this act shall be limited to the appropriation for such agency and funds

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

8
9 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General Assembly
10 that any funds disbursed under the authority of the appropriations contained
11 in this act shall be in compliance with the stated reasons for which this act
12 was adopted, as evidenced by the Agency Requests, Executive Recommendations
13 and Legislative Recommendations contained in the budget manuals prepared by
14 the Department of Finance and Administration, letters, or summarized oral
15 testimony in the official minutes of the Arkansas Legislative Council or
16 Joint Budget Committee which relate to its passage and adoption.

17
18 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the General
19 Assembly, that the Constitution of the State of Arkansas prohibits the
20 appropriation of funds for more than a one (1) year period; that the
21 effectiveness of this Act on July 1, 2010 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the legislative session, the delay in the
24 effective date of this Act beyond July 1, 2010 could work irreparable harm
25 upon the proper administration and provision of essential governmental
26 programs. Therefore, an emergency is hereby declared to exist and this Act
27 being necessary for the immediate preservation of the public peace, health
28 and safety shall be in full force and effect from and after July 1, 2010.