

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1120

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE OFFICE OF ATTORNEY
10 GENERAL FOR THE FISCAL YEAR ENDING JUNE 30, 2020; AND
11 FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE OFFICE OF ATTORNEY GENERAL
15 APPROPRIATION FOR THE 2019-2020 FISCAL
16 YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the Office of Attorney General for the 2019-2020 fiscal year, the
24 following maximum number of regular employees.
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| Item No. | Class Code | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2019-2020 |
|----------|------------|-----------------------|--------------------------|--|
| 30 | (1) Q242U | SOLICITOR GENERAL | 1 | \$167,000 |
| 31 | (2) Q066U | ATTORNEY GENERAL I | 2 | \$167,000 |
| 32 | (3) Q065U | ATTORNEY GENERAL II | 9 | \$157,100 |
| 33 | (4) Q124U | ATTORNEY GENERAL III | 11 | \$125,986 |
| 34 | (5) Q064U | ATTORNEY GENERAL IV | 15 | \$112,900 |
| 35 | (6) Q067U | NETWORK ADMINISTRATOR | 1 | \$103,970 |
| 36 | (7) Q102U | CHIEF FISCAL OFFICER | 1 | \$101,175 |



| | | | | |
|----|------|------------------------------------|----------|-----------|
| 1 | (8) | Q063U ATTORNEY GENERAL V | 11 | \$101,175 |
| 2 | (9) | Q061U ATTORNEY GENERAL VI | 19 | \$90,670 |
| 3 | (10) | Q009U COMMUNITY RELATIONS DIRECTOR | 1 | \$90,670 |
| 4 | (11) | Q008U CHIEF INVESTIGATOR | 1 | \$90,670 |
| 5 | (12) | Q075U FISCAL SPECIALIST I | 1 | \$81,257 |
| 6 | (13) | Q074U INVESTIGATOR I | 1 | \$81,257 |
| 7 | (14) | Q072U COMMUNICATIONS OFFICER | 1 | \$81,257 |
| 8 | (15) | Q062U PUBLIC INFORMATION OFFICER | 1 | \$81,257 |
| 9 | (16) | Q059U OMBUDSMAN | 1 | \$81,257 |
| 10 | (17) | Q033U LOGISTICS DIRECTOR | 1 | \$81,257 |
| 11 | (18) | Q023U NETWORK SPECIALIST I | 1 | \$75,054 |
| 12 | (19) | Q101U HUMAN RESOURCES DIRECTOR | 1 | \$72,822 |
| 13 | (20) | Q073U EXECUTIVE ASSISTANT | 1 | \$72,822 |
| 14 | (21) | Q070U INVESTIGATOR II | 2 | \$72,822 |
| 15 | (22) | Q052U LAW ED ADMINISTRATOR | 1 | \$72,822 |
| 16 | (23) | Q034U ADMINISTRATIVE ASSISTANT I | 1 | \$72,822 |
| 17 | (24) | Q002U LEGAL ASSISTANT | 1 | \$72,822 |
| 18 | (25) | Q037U NETWORK SPECIALIST II | 1 | \$67,267 |
| 19 | (26) | Q035U LIBRARIAN | 1 | \$67,267 |
| 20 | (27) | Q058U EXECUTIVE SECRETARY | 1 | \$65,265 |
| 21 | (28) | Q025U PARALEGAL I | 2 | \$65,265 |
| 22 | (29) | Q006U LAW ED INSTRUCTOR I | 2 | \$65,265 |
| 23 | (30) | Q004U ASST LOGISTICS DIRECTOR | 1 | \$65,265 |
| 24 | (31) | Q071U ADMINISTRATIVE ASSISTANT II | 3 | \$58,493 |
| 25 | (32) | Q057U INVESTIGATOR IV | 13 | \$58,493 |
| 26 | (33) | Q053U SECRETARY I | 7 | \$58,493 |
| 27 | (34) | Q032U LAW ED INSTRUCTOR II | 1 | \$58,493 |
| 28 | (35) | Q007U FISCAL SPECIALIST II | 2 | \$58,493 |
| 29 | (36) | Q056U SECRETARY II | 14 | \$52,425 |
| 30 | (37) | Q047U CONSUMER COUNSELOR | 4 | \$52,425 |
| 31 | (38) | Q036U RECEPTIONIST | 2 | \$46,987 |
| 32 | (39) | Q005U COURIER | 1 | \$46,987 |
| 33 | (40) | Q132U COURIER II | <u>1</u> | \$42,117 |
| 34 | | MAX. NO. OF EMPLOYEES | 142 | |

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SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for

1 the Office of Attorney General for the 2019-2020 fiscal year, the following
 2 maximum number of part-time or temporary employees, to be known as "Extra
 3 Help", payable from funds appropriated herein for such purposes: eight (8)
 4 temporary or part-time employees, when needed, at rates of pay not to exceed
 5 those provided in the Uniform Classification and Compensation Act, or its
 6 successor, or this act for the appropriate classification.

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 8 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 9 to the Office of Attorney General, to be payable from the State Central
 10 Services Fund, for personal services and operating expenses of the Office of
 11 Attorney General for the fiscal year ending June 30, 2020, the following:

| 13 ITEM | FISCAL YEAR |
|------------------------------------|---------------------|
| 14 <u>NO.</u> | <u>2019-2020</u> |
| 15 (01) REGULAR SALARIES | \$10,651,174 |
| 16 (02) EXTRA HELP | 37,224 |
| 17 (03) PERSONAL SERVICES MATCHING | 3,310,054 |
| 18 (04) MAINT. & GEN. OPERATION | |
| 19 (A) OPER. EXPENSE | 2,100,000 |
| 20 (B) CONF. & TRAVEL | 126,578 |
| 21 (C) PROF. FEES | 644,215 |
| 22 (D) CAP. OUTLAY | 140,000 |
| 23 (E) DATA PROC. | <u>0</u> |
| 24 TOTAL AMOUNT APPROPRIATED | <u>\$17,009,245</u> |

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 26 SECTION 4. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM. There
 27 is hereby established for the Office of Attorney General - Crime Victims
 28 Reparations Program for the 2019-2020 fiscal year, the following maximum
 29 number of regular employees.

| 31 | 32 | 33 | 34 | Maximum Annual |
|------------|-------------|----------------------------|------------------|------------------|
| Item | Class | No. of | Fiscal Year | Salary Rate |
| <u>No.</u> | <u>Code</u> | <u>Title</u> | <u>Employees</u> | <u>2019-2020</u> |
| 35 (1) | Q038U | CRIME VICTIM ADMINISTRATOR | 1 | \$72,822 |
| 36 (2) | Q057U | INVESTIGATOR IV | 7 | \$58,493 |

1 (3) Q007U FISCAL SPECIALIST II 1 \$58,493
 2 MAX. NO. OF EMPLOYEES 9

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 4 SECTION 5. EXTRA HELP - CRIME VICTIMS REPARATIONS PROGRAM. There is
 5 hereby authorized, for the Office of Attorney General - Crime Victims
 6 Reparations Program for the 2019-2020 fiscal year, the following maximum
 7 number of part-time or temporary employees, to be known as "Extra Help",
 8 payable from funds appropriated herein for such purposes: two (2) temporary
 9 or part-time employees, when needed, at rates of pay not to exceed those
 10 provided in the Uniform Classification and Compensation Act, or its
 11 successor, or this act for the appropriate classification.

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 13 SECTION 6. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM. There is
 14 hereby appropriated, to the Office of Attorney General, to be payable from
 15 the Crime Victims Reparations Revolving Fund, for personal services,
 16 operating expenses and payment of claims by the Office of Attorney General -
 17 Crime Victims Reparations Program for the fiscal year ending June 30, 2020,
 18 the following:

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| 20 ITEM | FISCAL YEAR |
|------------------------------------|---------------------------|
| 21 <u>NO.</u> | <u>2019-2020</u> |
| 22 (01) REGULAR SALARIES | \$332,840 |
| 23 (02) EXTRA HELP | 0 |
| 24 (03) PERSONAL SERVICES MATCHING | 93,950 |
| 25 (04) MAINT. & GEN. OPERATION | |
| 26 (A) OPER. EXPENSE | 36,616 |
| 27 (B) CONF. & TRAVEL | 1,081 |
| 28 (C) PROF. FEES | 1,616 |
| 29 (D) CAP. OUTLAY | 0 |
| 30 (E) DATA PROC. | 0 |
| 31 (05) CLAIMS | <u>1,500,000</u> |
| 32 TOTAL AMOUNT APPROPRIATED | <u><u>\$1,966,103</u></u> |

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 34 SECTION 7. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM -
 35 FEDERAL. There is hereby established for the Office of Attorney General -
 36 Crime Victims Reparations - Federal for the 2019-2020 fiscal year, the

1 following maximum number of regular employees.

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| Item | Class | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2019-2020 |
|------|------------------------------------|--------------------------------|---|
| (1) | Q054U ADMINISTRATIVE ASSISTANT III | <u>1</u> | \$33,883 |
| | 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 payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses and payment of claims by the Office of Attorney General - Crime Victims Reparations Program - Federal for the fiscal year ending June 30, 2020, the following:

| ITEM NO. | FISCAL YEAR 2019-2020 |
|---------------------------------|---------------------------|
| (01) REGULAR SALARIES | \$25,412 |
| (02) PERSONAL SERVICES MATCHING | 9,650 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 5,000 |
| (B) CONF. & TRAVEL | 0 |
| (C) PROF. FEES | 0 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| (04) CLAIMS | <u>1,000,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$1,040,062</u></u> |

SECTION 9. REGULAR SALARIES - MEDICAID FRAUD DIVISION - STATE. There is hereby established for the Office of Attorney General - Medicaid Fraud Division - State for the 2019-2020 fiscal year, the following maximum number of regular employees.

| | Maximum Annual Salary Rate |
|---------|-------------------------------|
| Maximum | |

| Item Class | No. of | Fiscal Year |
|-------------------------------|-----------|-------------|
| No. Code Title | Employees | 2019-2020 |
| (1) Q065U ATTORNEY GENERAL II | 1 | \$157,100 |
| (2) Q063U ATTORNEY GENERAL V | 2 | \$101,175 |
| (3) Q024U AUDITOR | 1 | \$90,670 |
| (4) Q056U SECRETARY II | <u>1</u> | \$52,425 |
| 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, 2020, the following:

| ITEM | FISCAL YEAR |
|---------------------------------|-------------------------|
| NO. | 2019-2020 |
| (01) REGULAR SALARIES | \$481,274 |
| (02) PERSONAL SERVICES MATCHING | 133,711 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 11,667 |
| (B) CONF. & TRAVEL | 21,667 |
| (C) PROF. FEES | 16,667 |
| (D) CAP. OUTLAY | 10,000 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$674,986</u></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 2019-2020 fiscal year, the following maximum number of regular employees.

| Item Class | Maximum | Maximum Annual |
|-----------------------------|-----------|----------------|
| No. Code Title | Employees | Salary Rate |
| No. Code Title | Employees | Fiscal Year |
| No. Code Title | Employees | 2019-2020 |
| (1) Q131U MEDICAID DIRECTOR | 1 | \$125,986 |

| | | | |
|----|-------------------------------|----------|-----------|
| 1 | (2) Q064U ATTORNEY GENERAL IV | 1 | \$112,900 |
| 2 | (3) Q063U ATTORNEY GENERAL V | 1 | \$101,175 |
| 3 | (4) Q008U CHIEF INVESTIGATOR | 1 | \$90,670 |
| 4 | (5) Q003U NURSE ANALYST | 2 | \$88,058 |
| 5 | (6) Q074U INVESTIGATOR I | 2 | \$81,257 |
| 6 | (7) Q130U INVESTIGATOR III | 5 | \$65,265 |
| 7 | (8) Q046U ANALYST | 1 | \$65,265 |
| 8 | (9) Q025U PARALEGAL I | 1 | \$65,265 |
| 9 | (10) Q069U CASE COORDINATOR | 1 | \$52,425 |
| 10 | (11) Q056U SECRETARY II | <u>1</u> | \$52,425 |
| 11 | MAX. NO. OF EMPLOYEES | 17 | |

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13 SECTION 12. EXTRA HELP - MEDICAID FRAUD DIVISION - FEDERAL. There is
 14 hereby authorized, for the Office of Attorney General - Medicaid Fraud
 15 Division - Federal for the 2019-2020 fiscal year, the following maximum
 16 number of part-time or temporary employees, to be known as "Extra Help",
 17 payable from funds appropriated herein for such purposes: two (2) temporary
 18 or part-time employees, when needed, at rates of pay not to exceed those
 19 provided in the Uniform Classification and Compensation Act, or its
 20 successor, or this act for the appropriate classification.

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22 SECTION 13. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There
 23 is hereby appropriated, to the Office of Attorney General, to be payable from
 24 the federal funds as designated by the Chief Fiscal Officer of the State, for
 25 personal services and operating expenses of the Office of Attorney General -
 26 Medicaid Fraud Division - Federal for the fiscal year ending June 30, 2020,
 27 the following:

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| 29 | ITEM | FISCAL YEAR |
|----|---------------------------------|------------------|
| 30 | <u>NO.</u> | <u>2019-2020</u> |
| 31 | (01) REGULAR SALARIES | \$1,275,330 |
| 32 | (02) EXTRA HELP | 28,453 |
| 33 | (03) PERSONAL SERVICES MATCHING | 378,420 |
| 34 | (04) MAINT. & GEN. OPERATION | |
| 35 | (A) OPER. EXPENSE | 35,000 |
| 36 | (B) CONF. & TRAVEL | 65,000 |

| | | |
|---|---------------------------|---------------------------|
| 1 | (C) PROF. FEES | 50,000 |
| 2 | (D) CAP. OUTLAY | 30,000 |
| 3 | (E) DATA PROC. | <u>0</u> |
| 4 | TOTAL AMOUNT APPROPRIATED | <u><u>\$1,862,203</u></u> |

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

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

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

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

10 Medicaid Fraud Division - Indirect Costs for the fiscal year ending June 30,

11 2020, the following:

| 12 | | |
|----|------------------------------|-------------------------|
| 13 | ITEM | FISCAL YEAR |
| 14 | <u>NO.</u> | <u>2019-2020</u> |
| 15 | (01) MAINT. & GEN. OPERATION | |
| 16 | (A) OPER. EXPENSE | \$330,000 |
| 17 | (B) CONF. & TRAVEL | 0 |
| 18 | (C) PROF. FEES | 0 |
| 19 | (D) CAP. OUTLAY | 0 |
| 20 | (E) DATA PROC. | <u>0</u> |
| 21 | TOTAL AMOUNT APPROPRIATED | <u><u>\$330,000</u></u> |

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23 SECTION 15. APPROPRIATION - INTERNET CRIME CHILD. There is hereby

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

25 federal funds as designated by the Chief Fiscal Officer of the State, for

26 operating expenses of the Office of Attorney General - Internet Crime Child

27 for the fiscal year ending June 30, 2020, the following:

| 28 | | |
|----|------------------------------|------------------|
| 29 | ITEM | FISCAL YEAR |
| 30 | <u>NO.</u> | <u>2019-2020</u> |
| 31 | (01) MAINT. & GEN. OPERATION | |
| 32 | (A) OPER. EXPENSE | \$25,000 |
| 33 | (B) CONF. & TRAVEL | 0 |
| 34 | (C) PROF. FEES | 0 |
| 35 | (D) CAP. OUTLAY | 0 |
| 36 | (E) DATA PROC. | <u>0</u> |

1 TOTAL AMOUNT APPROPRIATED \$25,000

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3 SECTION 16. REGULAR SALARIES - COOPERATIVE DISABILITY INVESTIGATION
 4 PROGRAM. There is hereby established for the Office of Attorney General -
 5 Cooperative Disability Investigation Program for the 2019-2020 fiscal year,
 6 the following maximum number of regular employees.

7

| | | | Maximum Annual |
|------|--------------------------|----------|----------------|
| | | | Salary Rate |
| | | | Fiscal Year |
| Item | Class | Maximum | |
| No. | Code Title | No. of | 2019-2020 |
| | | | Employees |
| 12 | (1) Q074U INVESTIGATOR I | 2 | \$81,257 |
| 13 | (2) Q046U ANALYST | <u>1</u> | \$65,265 |
| 14 | MAX. NO. OF EMPLOYEES | 3 | |

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16 SECTION 17. APPROPRIATION - COOPERATIVE DISABILITY INVESTIGATION
 17 PROGRAM. There is hereby appropriated, to the Office of Attorney General, to
 18 be payable from the federal funds as designated by the Chief Fiscal Officer
 19 of the State, for personal services and operating expenses of the Office of
 20 Attorney General - Cooperative Disability Investigation Program for the
 21 fiscal year ending June 30, 2020, the following:

22

| ITEM | FISCAL YEAR |
|------------------------------------|------------------|
| NO. | 2019-2020 |
| 25 (01) REGULAR SALARIES | \$196,052 |
| 26 (02) PERSONAL SERVICES MATCHING | 60,408 |
| 27 (03) OVERTIME | 42,000 |
| 28 (04) MAINT. & GEN. OPERATION | |
| 29 (A) OPER. EXPENSE | 31,000 |
| 30 (B) CONF. & TRAVEL | 0 |
| 31 (C) PROF. FEES | 0 |
| 32 (D) CAP. OUTLAY | 0 |
| 33 (E) DATA PROC. | <u>0</u> |
| 34 TOTAL AMOUNT APPROPRIATED | <u>\$329,460</u> |

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36 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ATTORNEY
2 FEES. The disbursing officer of the appropriations provided for herein,
3 shall deposit all monies received by the Office of Attorney General as
4 attorney fees in the State Central Services Fund as direct revenues.

5 The provisions of this section shall be in effect only from July 1, ~~2018~~
6 2019 through June 30, ~~2019~~ 2020.

7
8 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
10 PROVISION. After receiving approval from the Chief Fiscal Officer of the
11 State, and prior review by the Arkansas Legislative Council or Joint Budget
12 Committee, the Office of Attorney General is authorized to transfer
13 appropriation from any line item authorized in the Operations Appropriation
14 of the Office of Attorney General in this Act to any other line item
15 authorized in the Operations Appropriation.

16 The provisions of this section shall be in effect only from July 1, ~~2018~~
17 2019 through June 30, ~~2019~~ 2020.

18
19 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEES.
21 The Office of the Attorney General is hereby authorized to charge fees to
22 other governmental units in order to reimburse the Office of the Attorney
23 General for expenditures made on behalf of the other governmental units.
24 Such fees are to be deposited into the State Central Services Fund in the
25 State Treasury as a refund to expenditures.

26 The provisions of this section shall be in effect only from July 1, ~~2018~~
27 2019 through June 30, ~~2019~~ 2020.

28
29 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
31 TRANSFER. Immediately upon the effective date of this act, the Attorney
32 General shall deposit or transfer by check up to the sum of two million
33 dollars (\$2,000,000) from the unobligated cash funds of the Office of
34 Attorney General received from court orders or settlement agreements to the
35 State Central Services Fund.

36 The provisions of this section shall be in effect only from July 1, ~~2018~~

1 2019 through June 30, ~~2019~~ 2020.

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3 SECTION 22. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
4 authorized by this act shall be limited to the appropriation for such agency
5 and funds made available by law for the support of such appropriations; and
6 the restrictions of the State Procurement Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.
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13 SECTION 23. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this act shall be in compliance with the stated reasons for
16 which this act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.
21

22 SECTION 24. EMERGENCY CLAUSE. It is found and determined by the
23 General Assembly, that the Constitution of the State of Arkansas prohibits
24 the appropriation of funds for more than a one (1) year period; that the
25 effectiveness of this Act on July 1, 2019 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the legislative session, the delay in the
28 effective date of this Act beyond July 1, 2019 could work irreparable harm
29 upon the proper administration and provision of essential governmental
30 programs. Therefore, an emergency is hereby declared to exist and this Act
31 being necessary for the immediate preservation of the public peace, health
32 and safety shall be in full force and effect from and after July 1, 2019.
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