

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

As Engrossed: H2/28/12

A Bill

HOUSE BILL 1051

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE OFFICE OF
10 ATTORNEY GENERAL FOR THE FISCAL YEAR ENDING JUNE
11 30, 2013; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE OFFICE OF ATTORNEY GENERAL
15 APPROPRIATION FOR THE 2012-2013 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 2012-2013 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 2012-2013
30	(1) Q066U	ATTORNEY GENERAL I	2	\$120,943
31	(2) Q065U	ATTORNEY GENERAL II	9	\$110,540
32	(3) Q124U	ATTORNEY GENERAL III	11	\$101,470
33	(4) Q064U	ATTORNEY GENERAL IV	6	\$96,148
34	(5) Q102U	CHIEF FISCAL OFFICER	1	\$90,290
35	(6) Q063U	ATTORNEY GENERAL V	9	\$87,200
36	(7) Q067U	NETWORK ADMINISTRATOR	1	\$86,014



1	(8)	Q061U	ATTORNEY GENERAL VI	11	\$82,239
2	(9)	Q008U	CHIEF INVESTIGATOR	1	\$81,985
3	(10)	Q009U	COMMUNITY RELATIONS DIRECTOR	1	\$80,741
4	(11)	Q060U	ATTORNEY GENERAL VII	14	\$77,039
5	(12)	Q062U	PUBLIC INFORMATION OFFICER	1	\$76,126
6	(13)	Q072U	COMMUNICATIONS OFFICER	1	\$70,930
7	(14)	Q033U	LOGISTICS DIRECTOR	1	\$69,206
8	(15)	Q075U	FISCAL SPECIALIST I	1	\$68,906
9	(16)	Q059U	OMBUDSMAN	1	\$65,188
10	(17)	Q101U	HUMAN RESOURCES DIRECTOR	1	\$63,738
11	(18)	Q128U	ATTORNEY GENERAL VIII	4	\$63,372
12	(19)	Q070U	INVESTIGATOR II	2	\$62,745
13	(20)	Q034U	ADMINISTRATIVE ASSISTANT I	1	\$62,339
14	(21)	Q002U	LEGAL ASSISTANT	1	\$60,590
15	(22)	Q052U	LAW ED ADMINISTRATOR	1	\$58,825
16	(23)	Q073U	EXECUTIVE ASSISTANT	1	\$58,593
17	(24)	Q006U	LAW ED INSTRUCTOR I	2	\$57,671
18	(25)	Q058U	EXECUTIVE SECRETARY	1	\$56,313
19	(26)	Q023U	NETWORK SPECIALIST I	1	\$54,530
20	(27)	Q004U	ASST LOGISTICS DIRECTOR	1	\$52,274
21	(28)	Q035U	LIBRARIAN	1	\$50,337
22	(29)	Q007U	FISCAL SPECIALIST II	1	\$50,112
23	(30)	Q057U	INVESTIGATOR IV	5	\$49,858
24	(31)	Q037U	NETWORK SPECIALIST II	1	\$49,858
25	(32)	Q053U	SECRETARY I	7	\$48,502
26	(33)	Q071U	ADMINISTRATIVE ASSISTANT II	3	\$47,271
27	(34)	Q032U	LAW ED INSTRUCTOR II	1	\$47,271
28	(35)	Q025U	PARALEGAL I	2	\$46,370
29	(36)	Q127U	INVESTIGATOR V	5	\$46,315
30	(37)	Q056U	SECRETARY II	3	\$45,921
31	(38)	Q047U	CONSUMER COUNSELOR	4	\$41,607
32	(39)	Q055U	SECRETARY III	10	\$40,516
33	(40)	Q005U	COURIER	1	\$40,516
34	(41)	Q036U	RECEPTIONIST	2	\$39,031
35	(42)	Q132U	COURIER II	1	\$37,425
36	(43)	Q129U	COURIER III	<u>1</u>	\$28,491

1 MAX. NO. OF EMPLOYEES 135

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3 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 4 the Office of Attorney General for the 2012-2013 fiscal year, the following
 5 maximum number of part-time or temporary employees, to be known as "Extra
 6 Help", payable from funds appropriated herein for such purposes: eight (8)
 7 temporary or part-time employees, when needed, at rates of pay not to exceed
 8 those provided in the Uniform Classification and Compensation Act, or its
 9 successor, or this act for the appropriate classification.

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11 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 12 to the Office of Attorney General, to be payable from the State Central
 13 Services Fund, for personal services and operating expenses of the Office of
 14 Attorney General for the fiscal year ending June 30, 2013, the following:

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16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2012-2013</u>
18 (01) REGULAR SALARIES	\$9,545,642
19 (02) EXTRA HELP	37,224
20 (03) PERSONAL SERVICES MATCHING	2,570,149
21 (04) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	1,960,342
23 (B) CONF. & TRAVEL	100,167
24 (C) PROF. FEES	476,568
25 (D) CAP. OUTLAY	100,000
26 (E) DATA PROC.	<u>0</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$14,790,092</u>

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29 SECTION 4. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM. There
 30 is hereby established for the Office of Attorney General – Crime Victims
 31 Reparations Program for the 2012-2013 fiscal year, the following maximum
 32 number of regular employees.

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34	Maximum	Maximum Annual
35	No. of	Salary Rate
36 Item Class	No. of	Fiscal Year

No.	Code	Title	Employees	2012-2013
(1)	Q060U	ATTORNEY GENERAL VII	1	\$77,039
(2)	Q038U	CRIME VICTIM ADMINISTRATOR	1	\$58,825
(3)	Q007U	FISCAL SPECIALIST II	1	\$50,112
(4)	Q127U	INVESTIGATOR V	<u>8</u>	\$46,315
		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 2012-2013 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, operating expenses and the payment of claims by the Office of Attorney General – Crime Victims Reparations Program for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$558,596
(02) EXTRA HELP	14,000
(03) PERSONAL SERVICES MATCHING	166,116
(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><u>\$4,040,472</u></u>

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 2 SECTION 7. REGULAR SALARIES - CRIME VICTIMS REPARATIONS PROGRAM -
 3 FEDERAL. There is hereby established for the Office of Attorney General -
 4 Crime Victims Reparations Program - Federal for the 2012-2013 fiscal year,
 5 the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2012-2013
(1)	Q054U ADMINISTRATIVE ASSISTANT III	<u>1</u>	\$32,564
	MAX. NO. OF EMPLOYEES	1	

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 14 SECTION 8. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM - FEDERAL.
 15 There is hereby appropriated, to the Office of Attorney General, to be
 16 payable from the federal funds as designated by the Chief Fiscal Officer of
 17 the State, for personal services, operating expenses and the payment of
 18 claims by of the Office of Attorney General - Crime Victims Reparations
 19 Program - Federal for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
NO.	2012-2013
(01) REGULAR SALARIES	\$33,464
(02) PERSONAL SERVICES MATCHING	11,323
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	26,900
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) CLAIMS	<u>1,499,899</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,571,586</u></u>

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 34 SECTION 9. REGULAR SALARIES - MEDICAID FRAUD DIVISION - STATE. There
 35 is hereby established for the Office of Attorney General - Medicaid Fraud
 36 Division - State for the 2012-2013 fiscal year, the following maximum number

1 of regular employees.

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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
(1)	Q065U	ATTORNEY GENERAL II	1	\$110,540
(2)	Q061U	ATTORNEY GENERAL VI	2	\$82,239
(3)	Q024U	AUDITOR	1	\$77,248
(4)	Q055U	SECRETARY III	<u>1</u>	\$40,516
		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, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$395,582
(02) PERSONAL SERVICES MATCHING	103,528
(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>\$593,173</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 2012-2013 fiscal year, the following maximum number of regular employees.

Maximum Annual

Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2012-2013
4	(1) Q131U	MEDICAID DIRECTOR	1	\$101,779
5	(2) Q064U	ATTORNEY GENERAL IV	1	\$96,148
6	(3) Q063U	ATTORNEY GENERAL V	1	\$87,200
7	(4) Q008U	CHIEF INVESTIGATOR	1	\$81,985
8	(5) Q074U	INVESTIGATOR I	2	\$68,183
9	(6) Q130U	INVESTIGATOR III	5	\$62,184
10	(7) Q003U	NURSE ANALYST	2	\$62,184
11	(8) Q046U	ANALYST	1	\$53,939
12	(9) Q025U	PARALEGAL I	1	\$46,370
13	(10) Q056U	SECRETARY II	1	\$45,921
14	(11) Q069U	CASE COORDINATOR	<u>1</u>	\$43,219
15	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 2012-2013 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 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 fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$1,138,615
(02) EXTRA HELP	29,870

1	(03) PERSONAL SERVICES MATCHING	312,088
2	(04) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	202,286
4	(B) CONF. & TRAVEL	37,206
5	(C) PROF. FEES	24,856
6	(D) CAP. OUTLAY	27,583
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,772,504</u></u>

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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 fiscal year ending June 30,
 15 2013, the following:

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17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2012-2013</u>
19	(01) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	\$298,700
21	(B) CONF. & TRAVEL	0
22	(C) PROF. FEES	0
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u><u>\$298,700</u></u>

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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 fiscal year ending
 32 June 30, 2013, the following:

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34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2012-2013</u>
36	(01) SPYWARE MONITORING	<u><u>\$65,990</u></u>

SECTION 16. APPROPRIATION - INTERNET CRIME CHILD. 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 operating expenses of the Office of Attorney General – Internet Crime Child for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$45,450
(B) CONF. & TRAVEL	0
(C) PROF. FEES	4,550
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$50,000</u></u>

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council, the Office of Attorney General is authorized to transfer appropriation from any line item authorized in Section 3 Appropriation - Operations of the Office of Attorney General in this Act to any other line item authorized in Section 3.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. QUARTERLY
2 REPORTS. The Office of Attorney General shall on a quarterly basis provide to
3 the Arkansas Legislative Council or Joint Budget Committee a report of all
4 cash funds received from court orders or settlement agreements. The report
5 shall include:

6 a) The case name of the court order or settlement agreement.

7 b) The amount of funds received by the Office of Attorney General for each
8 court order or settlement agreement.

9 c) A plan for disbursement of the funds. If cash funds received from a
10 court order or settlement agreement are expended for any purpose, including
11 consumer education and enforcement activities, the report must itemize
12 specific activities subject to the exclusions provided in Ark. Code Ann. 4-
13 88-111 and 25-1-403(1)(B). The report shall also itemize the specific
14 consumer education and enforcement activities funded for the Office of
15 Attorney General.

16 d) If funds received from court order or settlement agreement are given to
17 a specific entity by the Office of Attorney General the report must include:

18 1) If the court order or settlement agreement directed monies to
19 be given to a specific entity and;

20 2) If the court order or settlement agreement directs funds to a
21 specific entity, the Office of the Attorney General shall provide a summary
22 of input regarding the drafting of the court order or settlement agreement.

23 e) If the Office of Attorney General receives funds from a court order or
24 settlement agreement that does not require disbursement of funds to a
25 specific entity, the Office of Attorney General shall report a rationale for
26 disbursing funds to a specific entity.

27 f) A report of current balances of all unappropriated cash fund holdings
28 received by court order or settlement agreement by the Office of Attorney
29 General.

30 g) The quarterly reports shall be provided no later than the 15th day of
31 the month immediately following the end of each quarter.

32 The provisions of this section shall be in effect only from July 1,
33 2012 through June 30, 2013.

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

1 and funds made available by law for the support of such appropriations; and
2 the 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.

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

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18 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the
19 General Assembly, that the Constitution of the State of Arkansas prohibits
20 the appropriation of funds for more than a one (1) year period; that the
21 effectiveness of this Act on July 1, 2012 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, 2012 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, 2012.

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30 */s/ Joint Budget Committee*
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