

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
88th General Assembly
Fiscal Session, 2012

As Engrossed: H2/28/12
A Bill

HOUSE BILL 1051

By: Joint Budget Committee

For An Act To Be Entitled

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

Subtitle

AN ACT FOR THE OFFICE OF ATTORNEY GENERAL APPROPRIATION FOR THE 2012-2013 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Office of Attorney General for the 2012-2013 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
(1)	Q066U	ATTORNEY GENERAL I	2	\$120,943
(2)	Q065U	ATTORNEY GENERAL II	9	\$110,540
(3)	Q124U	ATTORNEY GENERAL III	11	\$101,470
(4)	Q064U	ATTORNEY GENERAL IV	6	\$96,148
(5)	Q102U	CHIEF FISCAL OFFICER	1	\$90,290
(6)	Q063U	ATTORNEY GENERAL V	9	\$87,200
(7)	Q067U	NETWORK ADMINISTRATOR	1	\$86,014



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

MAX. NO. OF EMPLOYEES

135

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Office of Attorney General 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: eight (8) 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 3. APPROPRIATION - OPERATIONS. 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 for the fiscal year ending June 30, 2013, the following:

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

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

Item Class	Maximum No. of	Maximum Annual Salary Rate Fiscal Year
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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
NO.	2012-2013
(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>

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 2012-2013 fiscal year, 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	

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 the payment of claims by of the Office of Attorney General - Crime Victims Reparations 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>\$1,571,586</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 2012-2013 fiscal year, the following maximum number

of regular employees.

Item No.	Class Code	Title	Maximum	Maximum Annual
			No. of Employees	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
(1)	Q131U	MEDICAID DIRECTOR	1	\$101,779
(2)	Q064U	ATTORNEY GENERAL IV	1	\$96,148
(3)	Q063U	ATTORNEY GENERAL V	1	\$87,200
(4)	Q008U	CHIEF INVESTIGATOR	1	\$81,985
(5)	Q074U	INVESTIGATOR I	2	\$68,183
(6)	Q130U	INVESTIGATOR III	5	\$62,184
(7)	Q003U	NURSE ANALYST	2	\$62,184
(8)	Q046U	ANALYST	1	\$53,939
(9)	Q025U	PARALEGAL I	1	\$46,370
(10)	Q056U	SECRETARY II	1	\$45,921
(11)	Q069U	CASE COORDINATOR	<u>1</u>	\$43,219
		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

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

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

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 – Medicaid Fraud Division – Indirect Costs 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	\$298,700
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$298,700</u></u>

SECTION 15. APPROPRIATION - SPYWARE MONITORING. There is hereby appropriated, to the Office of Attorney General, to be payable from the Spyware Monitoring Fund, for administrative expenses and other associated expenses for the enforcement activities and monitoring of spyware by the Office of Attorney General – Spyware Monitoring for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(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 NO.	FISCAL YEAR 2012-2013
<hr/>	
(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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 22. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2012 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2012 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2012.

/s/ Joint Budget Committee