

# ATTORNEY GENERAL

## **Enabling Laws**

Act 70 of 2010

Act 186 of 2010

A.C.A. §25-16-701 et seq.

A.C.A. §04-88-101 et seq.

A.C.A. §05-55-101 et seq.

A.C.A. §16-90-706 et seq.

A.C.A. §23-04-301 et seq.

A.C.A. §04-111-101 et seq.

Constitution of Arkansas, Article 6

Constitution of Arkansas, Amendment 63

## **History and Organization**

The Office of Attorney General in Arkansas was established by Article 6, Section 1 of the Arkansas Constitution of 1874, which section has been likely superseded by Amendment 63, Section 1. It reads, in applicable part, as follows:

“The Executive Department of this state shall consist of a(n) ... Attorney General, . . . all of whom shall keep their offices at the seat of Government and hold their offices for the term of four years and until their successors are elected and qualified.”

Article 6, Section 3 of the Constitution provides that the Attorney General is elected by the qualified electors of the state at large at the general elections. The salary for the office is established by Amendment 70, Sections 1 and 3.

The only constitutional or statutory qualification for holding the office of Attorney General is that of Article 19, Section 3 and 4, Constitution of Arkansas, which requires all state officers to possess the qualifications of electors and requires officers for the state at large to reside within the state.

The statutory subchapter setting forth the fundamental duties for the Attorney General is found at A.C.A. §25-16-702 et seq. The primary responsibilities created therein are set forth below.

A.C.A. §25-16-702 provides as follows: "The Attorney General shall be the attorney for all state officials, departments, institutions, and agencies. Whenever any officer or department, institution, or agency of the state needs the services of an attorney, the matter shall be certified to the Attorney General for attention."

Section 702 also provided that the Attorney General shall have the authority to initiate civil lawsuits under all environmental protection statutes.

A.C.A. §25-16-703 provides that the Attorney General shall maintain and defend the interest of the state in the federal courts and that he or she shall be the legal representative of all state parties in litigation where the interests of the state are involved.

A.C.A. §25-16-704 provides that the Attorney General will attend and defend the state before the Supreme Court.

A.C.A. §25-16-706 provides that the Attorney General will, upon request, give his opinion to the Governor and heads of executive departments on any constitutional or legal questions concerning the official actions of such officers. The Attorney General is also authorized to give his opinion on certain legal matters to prosecuting attorneys, members of the General Assembly, county commissions and all state boards and commissions.

A.C.A. §25-16-709 empowers the Attorney General to bring suit against state officials who have collected or received state monies and not accounted for them according to the law.

In addition to the fundamental duties of the Attorney General set forth at A.C.A. §25-16-701 et seq., additional statutory duties have been prescribed for the office over the years. The most significant of these are set forth below.

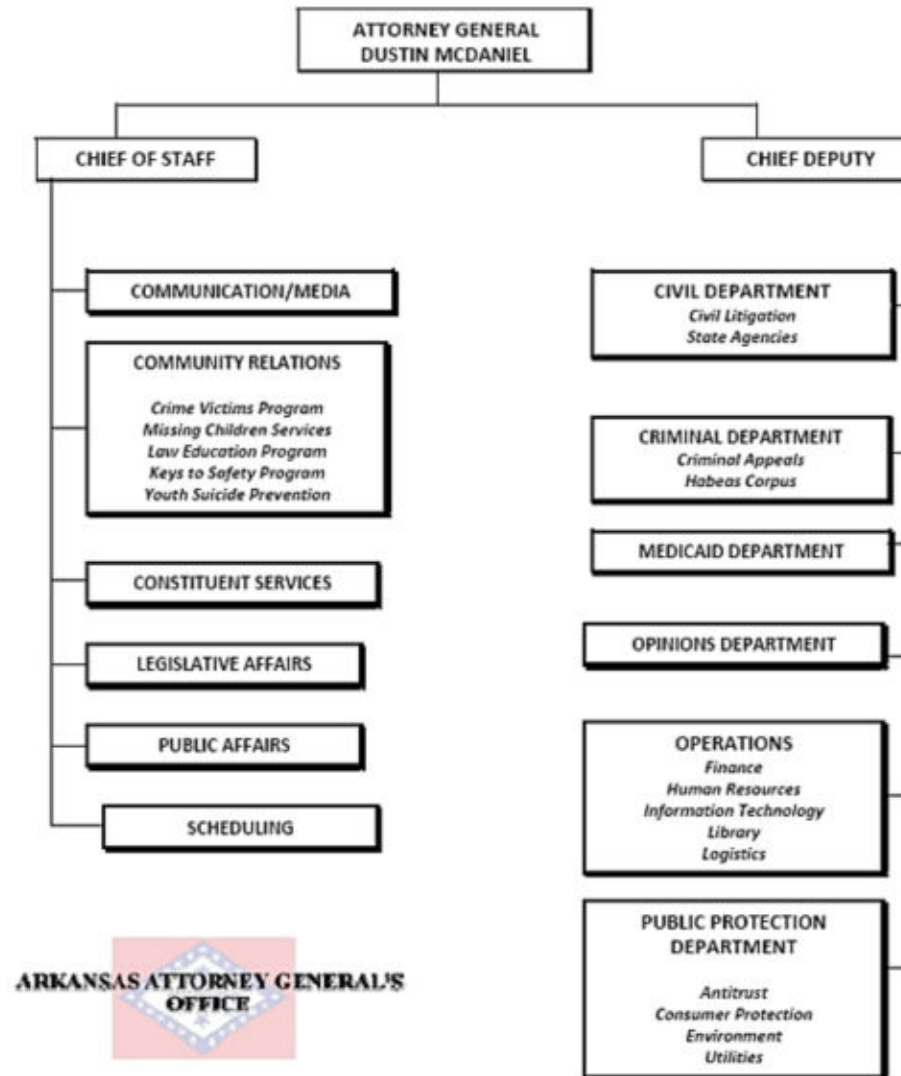
Consumer Protection. The Attorney General is charged with enforcing the "Deceptive Trade Practices Act," A.C.A. §4-88-101 et seq. This act creates the Consumer Protection Division, and authorizes that division to conduct investigation, promote consumer education, and bring lawsuits to enforce the provisions of the law. The division is also charged with registration of charities and professional fundraisers by A.C.A. §4-28-401 et seq.

Medicaid Fraud, A.C.A. §5-55-101 et seq. provides that the Office of Attorney General will investigate and bring cases regarding abuse, exploitation or neglect of nursing home residents and fraud against the Medicaid Program. The Office is also empowered under federal and state law to conduct criminal investigations and refer cases for prosecution. The Attorney General's staff may also deputized by a prosecuting attorney and conduct prosecutions.

Crime Victims Reparations. The Crime Victims Reparations Board was created by A.C.A. §16-90-710 et seq. A.C.A. §16-90-706 provides that the Attorney General provide necessary office space, support staff and secretarial services to the Board for the administration of their statutory responsibilities.

Public Utilities, A.C.A. §23-4-301 et seq. creates a division within the office called the Consumer Utilities Rate Advocacy Division. This division is charged with representing the state, its subdivisions and ratepayers in state and federal proceedings related to utility matters.

An organization chart which reflects the structure of the Office of Attorney General is attached hereto.



## **Agency Commentary**

The Office of the Attorney General is the statutory legal counsel for the State's officials, departments, institutions and agencies. This Office also has the responsibility to administer the Crime Victims Reparation Program and protect the environment as well as the consumers of Arkansas. Statutory obligations are carried out through the following functions:

- |                         |                        |                                  |
|-------------------------|------------------------|----------------------------------|
| 1) Communication/Media  | 5) Public Affairs      | 9) Medicaid Fraud Department     |
| 2) Community Relations  | 6) Scheduling          | 10) Opinions Department          |
| 3) Constituent Services | 7) Civil Department    | 11) Operations                   |
| 4) Legislative Affairs  | 8) Criminal Department | 12) Public Protection Department |

The Office requests Base Level for the 2011-2013 biennium, with restoration of previously authorized amounts for Capital Outlay for all appropriations. Of the restoration amount requested for Operations (004), the Office requests to reallocate ½ of that appropriation to Operating Expenses for expected rent increases over the next two years. The Office also requests to restore previously authorized Internet Child Crime (38U) federal grant appropriation, in the even that funding becomes available.

## **Audit Findings**

DIVISION OF LEGISLATIVE AUDIT  
AUDIT OF :  
OFFICE OF THE ATTORNEY GENERAL  
FOR THE YEAR ENDED JUNE 30, 2009

Findings	Recommendations
None	None

## Employment Summary

	Male	Female	Total	%
White Employees	54	69	123	74 %
Black Employees	7	31	38	23 %
Other Racial Minorities	1	4	5	3 %
Total Minorities			43	26 %
Total Employees			166	100 %

## Publications

### **A.C.A. 25-1-204**

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
Lemon Law Books	Act 1313 of 2001	N	N	135,000	Required by Statutes to provide booklets to automobile dealers for every vehicle sold explaining the State's Lemon Law
Model Rules and Regulations for State Agencies	A.C.A. §25-15-215	N	N	250	Required by Statutes to provide model rules for each state agency

## Department Appropriation Summary

### Historical Data

### Agency Request and Executive Recommendation

Appropriation	2009-2010		2010-2011		2010-2011		2011-2012						2012-2013					
	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
004 Attorney General - Administration	12,709,479	135	13,529,358	135	14,213,486	135	14,072,756	135	14,270,756	135	0	0	14,072,756	135	14,270,756	135	0	0
188 Medicaid Fraud - Federal	1,368,195	17	1,658,259	17	1,708,942	17	1,678,731	17	1,706,314	17	0	0	1,678,731	17	1,706,314	17	0	0
189 Medicaid Fraud - State	514,540	5	533,598	5	569,101	5	563,953	5	570,953	5	0	0	563,953	5	570,953	5	0	0
1PE Victims Reparations Program	2,591,324	10	3,951,395	11	4,008,023	11	4,010,858	11	4,010,858	11	0	0	4,010,858	11	4,010,858	11	0	0
1PF Medicaid Fraud - Indirect Costs	192,789	0	298,700	0	298,700	0	298,700	0	298,700	0	0	0	298,700	0	298,700	0	0	0
1PH Victims Reparations - Federal	1,346,469	1	1,565,114	1	1,570,040	1	1,569,076	1	1,569,076	1	0	0	1,569,076	1	1,569,076	1	0	0
2YK Spyware Monitoring	465	0	65,990	0	65,990	0	65,990	0	65,990	0	0	0	65,990	0	65,990	0	0	0
38U Internet Crime Child	30,000	0	0	0	50,000	0	0	0	50,000	0	0	0	0	0	50,000	0	0	0
Total	18,753,261	168	21,602,414	169	22,484,282	169	22,260,064	169	22,542,647	169	0	0	22,260,064	169	22,542,647	169	0	0

Funding Sources			%		%			%		%		%		%		%		%
Fund Balance	4000005	3,352,919	15.4	2,961,850	12.4		2,215,178	9.4	2,215,178	9.2	0	0.0	1,409,043	6.2	1,409,043	6.1	0	0.0
Federal Revenue	4000020	2,937,453	13.5	3,522,073	14.8		3,546,507	15.0	3,624,090	15.1	0	0.0	3,546,507	15.5	3,624,090	15.7	0	0.0
Special Revenue	4000030	110,997	0.5	180,990	0.8		180,990	0.8	180,990	0.8	0	0.0	180,990	0.8	180,990	0.8	0	0.0
State Central Services	4000035	13,224,019	60.9	14,062,956	59.0		14,636,709	61.8	14,841,709	62.0	0	0.0	14,636,709	64.0	14,841,709	64.1	0	0.0
State Administration of Justice	4000470	2,089,723	9.6	3,089,723	13.0		3,089,723	13.1	3,089,723	12.9	0	0.0	3,089,723	13.5	3,089,723	13.3	0	0.0
Total Funds		21,715,111	100.0	23,817,592	100.0		23,669,107	100.0	23,951,690	100.0	0	0.0	22,862,972	100.0	23,145,555	100.0	0	0.0
Excess Appropriation/(Funding)		(2,961,850)		(2,215,178)			(1,409,043)		(1,409,043)		0		(602,908)		(602,908)		0	
Grand Total		18,753,261		21,602,414			22,260,064		22,542,647		0		22,260,064		22,542,647		0	

No Executive Recommendation made on these appropriations.

## Agency Position Usage Report

FY2008 - 2009						FY2009 - 2010						FY2010 - 2011					
Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused
	Filled	Unfilled	Total				Filled	Unfilled	Total				Filled	Unfilled	Total		
166	163	0	163	3	1.81 %	169	165	4	169	0	2.37 %	169	165	4	169	0	2.37 %

## Appropriation Summary

**Appropriation:** 004 - Attorney General - Administration

**Funding Sources:** HSC - State Central Services

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2009-2010	2010-2011	2010-2011	2011-2012			2012-2013		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	8,361,959	8,506,973	9,133,858	9,105,095	9,105,095	0	9,105,095	9,105,095	0
<b>#Positions</b>		<b>135</b>	<b>135</b>	<b>135</b>	<b>135</b>	<b>135</b>	<b>0</b>	<b>135</b>	<b>135</b>	<b>0</b>
Extra Help	5010001	17,021	37,224	37,224	37,224	37,224	0	37,224	37,224	0
<b>#Extra Help</b>		<b>3</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>8</b>	<b>0</b>
Personal Services Matching	5010003	2,176,500	2,348,084	2,405,327	2,491,360	2,491,360	0	2,491,360	2,491,360	0
Operating Expenses	5020002	1,590,793	1,862,342	1,862,342	1,862,342	1,960,342	0	1,862,342	1,960,342	0
Conference & Travel Expenses	5050009	81,538	100,167	100,167	100,167	100,167	0	100,167	100,167	0
Professional Fees	5060010	386,506	476,568	476,568	476,568	476,568	0	476,568	476,568	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	95,162	198,000	198,000	0	100,000	0	0	100,000	0
<b>Total</b>		<b>12,709,479</b>	<b>13,529,358</b>	<b>14,213,486</b>	<b>14,072,756</b>	<b>14,270,756</b>	<b>0</b>	<b>14,072,756</b>	<b>14,270,756</b>	<b>0</b>
<b>Funding Sources</b>										
State Central Services	4000035	12,709,479	13,529,358		14,072,756	14,270,756	0	14,072,756	14,270,756	0
Total Funding		12,709,479	13,529,358		14,072,756	14,270,756	0	14,072,756	14,270,756	0
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		12,709,479	13,529,358		14,072,756	14,270,756	0	14,072,756	14,270,756	0

No Executive Recommendation made on this appropriation.



## Change Level by Appropriation

**Appropriation:** 004 - Attorney General - Administration  
**Funding Sources:** HSC - State Central Services

### Agency Request

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>14,072,756</b>	<b>135</b>	<b>14,072,756</b>	<b>100.0</b>	<b>14,072,756</b>	<b>135</b>	<b>14,072,756</b>	<b>100.0</b>
C01	Existing Program	198,000	0	14,270,756	101.4	198,000	0	14,270,756	101.4

**CARRY FORWARD OF ANY REMAINING FUND BALANCES  
FROM FISCAL YEAR 2010 TO FISCAL YEAR 2011**

Agency: Attorney General

Program: Attorney General - Administration

Act #: 70 Section(s) #: 3 & 18

Estimated Carry Forward Amount \$ 0.00 Funding Source: State Central Services

**Accounting Information:**

Business Area: 0053 Funds Center: 004 Fund: HSC Functional Area: CNST

Current law requires a written statement be submitted to the DFA Office of Budget stating the reason(s) to carry forward funding for a program or a specific line item within a program remaining on June 30th of a fiscal year.

**Justification for carry forward of fund balance:**

We do not anticipate a need to carry forward funding for this program.

Actual Funding Carry Forward Amount \$ 0.00

**Current status of carry forward funding:**

No funding was carried forward.

**Note from DFA – Office of Budget: Funds remaining at the end of any fiscal year from this fund must, by law, remain in the fund regardless of the future status of any project, contract or purpose. The Special Language that requires this report is no longer necessary.**

Honorable Dustin McDaniel  
Attorney General

08-18-2010  
Date

## Appropriation Summary

**Appropriation:** 188 - Medicaid Fraud - Federal  
**Funding Sources:** FAY - Medicaid Operations Federal

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2009-2010	2010-2011	2010-2011	2011-2012			2012-2013		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	1,045,898	1,048,941	1,090,675	1,081,877	1,081,877	0	1,081,877	1,081,877	0
<b>#Positions</b>		<b>17</b>	<b>17</b>	<b>17</b>	<b>17</b>	<b>17</b>	<b>0</b>	<b>17</b>	<b>17</b>	<b>0</b>
Extra Help	5010001	18,990	29,870	29,870	29,870	29,870	0	29,870	29,870	0
<b>#Extra Help</b>		<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>
Personal Services Matching	5010003	269,273	287,517	296,466	302,636	302,636	0	302,636	302,636	0
Operating Expenses	5020002	12,681	202,286	202,286	202,286	202,286	0	202,286	202,286	0
Conference & Travel Expenses	5050009	7,191	37,206	37,206	37,206	37,206	0	37,206	37,206	0
Professional Fees	5060010	87	24,856	24,856	24,856	24,856	0	24,856	24,856	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	14,075	27,583	27,583	0	27,583	0	0	27,583	0
Total		1,368,195	1,658,259	1,708,942	1,678,731	1,706,314	0	1,678,731	1,706,314	0
<b>Funding Sources</b>										
Federal Revenue	4000020	1,368,195	1,658,259		1,678,731	1,706,314	0	1,678,731	1,706,314	0
Total Funding		1,368,195	1,658,259		1,678,731	1,706,314	0	1,678,731	1,706,314	0
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		1,368,195	1,658,259		1,678,731	1,706,314	0	1,678,731	1,706,314	0

No Executive Recommendation made on this appropriation.

## Change Level by Appropriation

**Appropriation:** 188 - Medicaid Fraud - Federal  
**Funding Sources:** FAY - Medicaid Operations Federal

### Agency Request

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>1,678,731</b>	<b>17</b>	<b>1,678,731</b>	<b>100.0</b>	<b>1,678,731</b>	<b>17</b>	<b>1,678,731</b>	<b>100.0</b>
C01	Existing Program	27,583	0	1,706,314	101.6	27,583	0	1,706,314	101.6

**CARRY FORWARD OF ANY REMAINING FUND BALANCES  
FROM FISCAL YEAR 2010 TO FISCAL YEAR 2011**

Agency: Attorney General

Program: Medicaid Fraud - Federal

Act #: 70 Section(s) #: 13 & 18

Estimated Carry Forward Amount \$ 7,299.00 Funding Source: Federal

**Accounting Information:**

Business Area: 0053 Funds Center: 188 Fund: FAY Functional Area: CNST

Current law requires a written statement be submitted to the DFA Office of Budget stating the reason(s) to carry forward funding for a program or a specific line item within a program remaining on June 30th of a fiscal year.

**Justification for carry forward of fund balance:**

Remaining federal funding will be carried forward to provide support for investigating and prosecuting Medicaid fraud and abuse cases.

Actual Funding Carry Forward Amount \$ 48,805.42

**Current status of carry forward funding:**

Federal funding will continue to be used for investigating and prosecuting Medicaid fraud and abuse cases.

**Note from DFA – Office of Budget: Funds remaining at the end of any fiscal year from this fund must, by law, remain in the fund regardless of the future status of any project, contract or purpose. The Special Language that requires this report is no longer necessary.**

Honorable Dustin McDaniel  
Attorney General

08-18-2010  
Date

## Appropriation Summary

**Appropriation:** 189 - Medicaid Fraud - State

**Funding Sources:** HSC - State Central Services

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2009-2010	2010-2011	2010-2011	2011-2012			2012-2013		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	343,788	345,713	378,654	376,653	376,653	0	376,653	376,653	0
<b>#Positions</b>		<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>5</b>	<b>5</b>	<b>0</b>
Personal Services Matching	5010003	87,476	93,822	96,384	100,237	100,237	0	100,237	100,237	0
Operating Expenses	5020002	66,549	67,417	67,417	67,417	67,417	0	67,417	67,417	0
Conference & Travel Expenses	5050009	9,960	11,891	11,891	11,891	11,891	0	11,891	11,891	0
Professional Fees	5060010	2,075	7,755	7,755	7,755	7,755	0	7,755	7,755	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	4,692	7,000	7,000	0	7,000	0	0	7,000	0
Total		514,540	533,598	569,101	563,953	570,953	0	563,953	570,953	0
<b>Funding Sources</b>										
State Central Services	4000035	514,540	533,598		563,953	570,953	0	563,953	570,953	0
Total Funding		514,540	533,598		563,953	570,953	0	563,953	570,953	0
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		514,540	533,598		563,953	570,953	0	563,953	570,953	0

No Executive Recommendation made on this appropriation.

## Change Level by Appropriation

**Appropriation:** 189 - Medicaid Fraud - State  
**Funding Sources:** HSC - State Central Services

### Agency Request

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>563,953</b>	<b>5</b>	<b>563,953</b>	<b>100.0</b>	<b>563,953</b>	<b>5</b>	<b>563,953</b>	<b>100.0</b>
C01	Existing Program	7,000	0	570,953	101.2	7,000	0	570,953	101.2

**CARRY FORWARD OF ANY REMAINING FUND BALANCES  
FROM FISCAL YEAR 2010 TO FISCAL YEAR 2011**

Agency: Attorney General

Program: Medicaid Fraud - State

Act #: 70 Section(s) #: 10 & 18

Estimated Carry Forward Amount \$ 0.00 Funding Source: State Central Services

**Accounting Information:**

Business Area: 0053 Funds Center: 189 Fund: HSC Functional Area: CNST

Current law requires a written statement be submitted to the DFA Office of Budget stating the reason(s) to carry forward funding for a program or a specific line item within a program remaining on June 30th of a fiscal year.

**Justification for carry forward of fund balance:**

We do not anticipate a need to carry forward funding for this program.

Actual Funding Carry Forward Amount \$ 0.00

**Current status of carry forward funding:**

No funding was carried forward.

**Note from DFA – Office of Budget: Funds remaining at the end of any fiscal year from this fund must, by law, remain in the fund regardless of the future status of any project, contract or purpose. The Special Language that requires this report is no longer necessary.**

Honorable Dustin McDaniel  
Attorney General

08-18-2010  
Date



## Appropriation Summary

**Appropriation:** 1PE - Victims Reparations Program

**Funding Sources:** TCR - Crime Victims Revolving Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2009-2010	2010-2011	2010-2011	2011-2012			2012-2013		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	364,588	484,379	533,644	533,643	533,643	0	533,643	533,643	0
<b>#Positions</b>		<b>10</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>0</b>	<b>11</b>	<b>11</b>	<b>0</b>
Extra Help	5010001	0	14,000	14,000	14,000	14,000	0	14,000	14,000	0
<b>#Extra Help</b>		<b>0</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>
Personal Services Matching	5010003	114,279	151,256	158,619	161,455	161,455	0	161,455	161,455	0
Operating Expenses	5020002	55,979	80,558	80,558	80,558	80,558	0	80,558	80,558	0
Conference & Travel Expenses	5050009	5,887	16,974	16,974	16,974	16,974	0	16,974	16,974	0
Professional Fees	5060010	45,793	11,246	11,246	11,246	11,246	0	11,246	11,246	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Claims	5110015	2,004,798	3,192,982	3,192,982	3,192,982	3,192,982	0	3,192,982	3,192,982	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>		<b>2,591,324</b>	<b>3,951,395</b>	<b>4,008,023</b>	<b>4,010,858</b>	<b>4,010,858</b>	<b>0</b>	<b>4,010,858</b>	<b>4,010,858</b>	<b>0</b>
<b>Funding Sources</b>										
Fund Balance	4000005	3,352,919	2,961,850		2,215,178	2,215,178	0	1,409,043	1,409,043	0
Special Revenue	4000030	110,532	115,000		115,000	115,000	0	115,000	115,000	0
State Administration of Justice	4000470	2,089,723	3,089,723		3,089,723	3,089,723	0	3,089,723	3,089,723	0
Total Funding		5,553,174	6,166,573		5,419,901	5,419,901	0	4,613,766	4,613,766	0
Excess Appropriation/(Funding)		(2,961,850)	(2,215,178)		(1,409,043)	(1,409,043)	0	(602,908)	(602,908)	0
<b>Grand Total</b>		<b>2,591,324</b>	<b>3,951,395</b>		<b>4,010,858</b>	<b>4,010,858</b>	<b>0</b>	<b>4,010,858</b>	<b>4,010,858</b>	<b>0</b>

No Executive Recommendation made on this appropriation.

**CARRY FORWARD OF ANY REMAINING FUND BALANCES  
FROM FISCAL YEAR 2010 TO FISCAL YEAR 2011**

Agency: Attorney General

Program: Victims Reparations Program

Act #: 70 Section(s) #: 6 & 18

Estimated Carry Forward Amount \$ 3,244,696.00 Funding Source: Trust

**Accounting Information:**

Business Area: 0053 Funds Center: 1PE Fund: TCR Functional Area: CNST

Current law requires a written statement be submitted to the DFA Office of Budget stating the reason(s) to carry forward funding for a program or a specific line item within a program remaining on June 30th of a fiscal year.

**Justification for carry forward of fund balance:**

Carry forward funding will be used to provide continued support for operations of the Crime Victims Unit.

Actual Funding Carry Forward Amount \$ 2,961,850.29

**Current status of carry forward funding:**

Funding is being used for Crime Victims Unit operations.

**Note from DFA – Office of Budget: Funds remaining at the end of any fiscal year from this fund must, by law, remain in the fund regardless of the future status of any project, contract or purpose. The Special Language that requires this report is no longer necessary.**

Honorable Dustin McDaniel  
Attorney General

08-18-2010  
Date

## Appropriation Summary

**Appropriation:** 1PF - Medicaid Fraud - Indirect Costs

**Funding Sources:** FAY - Medicaid Indirect Costs Federal

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2009-2010	2010-2011	2010-2011	2011-2012			2012-2013		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	192,789	298,700	298,700	298,700	298,700	0	298,700	298,700	0
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		192,789	298,700	298,700	298,700	298,700	0	298,700	298,700	0
<b>Funding Sources</b>										
Federal Revenue	4000020	192,789	298,700		298,700	298,700	0	298,700	298,700	0
Total Funding		192,789	298,700		298,700	298,700	0	298,700	298,700	0
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		192,789	298,700		298,700	298,700	0	298,700	298,700	0

No Executive Recommendation made on this appropriation.

**CARRY FORWARD OF ANY REMAINING FUND BALANCES  
FROM FISCAL YEAR 2010 TO FISCAL YEAR 2011**

Agency: Attorney General

Program: Medicaid Fraud - Indirect Costs

Act #: 70 Section(s) #: 14 & 18

Estimated Carry Forward Amount \$ 250.00 Funding Source: Federal

**Accounting Information:**

Business Area: 0053 Funds Center: 1PF Fund: FAY Functional Area: CNST

Current law requires a written statement be submitted to the DFA Office of Budget stating the reason(s) to carry forward funding for a program or a specific line item within a program remaining on June 30th of a fiscal year.

**Justification for carry forward of fund balance:**

Any remaining federal funds will be used for continuing Medicaid fraud indirect costs.

Actual Funding Carry Forward Amount \$ 10,263.61

**Current status of carry forward funding:**

Federal funds are being used to support Medicaid fraud indirect costs.

**Note from DFA – Office of Budget: Funds remaining at the end of any fiscal year from this fund must, by law, remain in the fund regardless of the future status of any project, contract or purpose. The Special Language that requires this report is no longer necessary.**

Honorable Dustin McDaniel  
Attorney General

08-18-2010  
Date

## Appropriation Summary

**Appropriation:** 1PH - Victims Reparations - Federal

**Funding Sources:** FAY - Crime Victims Reparation Program Federal

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2009-2010	2010-2011	2010-2011	2011-2012			2012-2013		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	27,906	27,942	32,127	31,227	31,227	0	31,227	31,227	0
<b>#Positions</b>		<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>
Personal Services Matching	5010003	9,877	10,373	11,114	11,050	11,050	0	11,050	11,050	0
Operating Expenses	5020002	0	26,900	26,900	26,900	26,900	0	26,900	26,900	0
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Claims	5110015	1,031,981	1,499,899	1,499,899	1,499,899	1,499,899	0	1,499,899	1,499,899	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
ARRA of 2009	5900052	276,705	0	0	0	0	0	0	0	0
<b>Total</b>		<b>1,346,469</b>	<b>1,565,114</b>	<b>1,570,040</b>	<b>1,569,076</b>	<b>1,569,076</b>	<b>0</b>	<b>1,569,076</b>	<b>1,569,076</b>	<b>0</b>
<b>Funding Sources</b>										
Federal Revenue	4000020	1,346,469	1,565,114		1,569,076	1,569,076	0	1,569,076	1,569,076	0
Total Funding		1,346,469	1,565,114		1,569,076	1,569,076	0	1,569,076	1,569,076	0
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		1,346,469	1,565,114		1,569,076	1,569,076	0	1,569,076	1,569,076	0

No Executive Recommendation made on this appropriation.

**CARRY FORWARD OF ANY REMAINING FUND BALANCES  
FROM FISCAL YEAR 2010 TO FISCAL YEAR 2011**

Agency: Attorney General

Program: Victims Reparations - Federal

Act #: 70 Section(s) #: 8 & 18

Estimated Carry Forward Amount \$ 1,625.00 Funding Source: Federal

**Accounting Information:**

Business Area: 0053 Funds Center: 1PH Fund: FAY Functional Area: CNST

Current law requires a written statement be submitted to the DFA Office of Budget stating the reason(s) to carry forward funding for a program or a specific line item within a program remaining on June 30th of a fiscal year.

**Justification for carry forward of fund balance:**

Any remaining federal funds will be used to defray operations costs of the Crime Victims Program.

Actual Funding Carry Forward Amount \$ 13,146.37

**Current status of carry forward funding:**

Federal funds are being used for Crime Victims Program operations.

**Note from DFA – Office of Budget: Funds remaining at the end of any fiscal year from this fund must, by law, remain in the fund regardless of the future status of any project, contract or purpose. The Special Language that requires this report is no longer necessary.**

Honorable Dustin McDaniel  
Attorney General

08-26-2010  
Date

## Appropriation Summary

**Appropriation:** 2YK - Spyware Monitoring

**Funding Sources:** SSM - Spyware Monitoring Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item	2009-2010 Actual	2010-2011 Budget	2010-2011 Authorized	2011-2012			2012-2013		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Spyware Monitoring 5900046	465	65,990	65,990	65,990	65,990	0	65,990	65,990	0
Total	465	65,990	65,990	65,990	65,990	0	65,990	65,990	0
Funding Sources									
Special Revenue 4000030	465	65,990		65,990	65,990	0	65,990	65,990	0
Total Funding	465	65,990		65,990	65,990	0	65,990	65,990	0
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	465	65,990		65,990	65,990	0	65,990	65,990	0

No Executive Recommendation made on this appropriation.

**CARRY FORWARD OF ANY REMAINING FUND BALANCES  
FROM FISCAL YEAR 2010 TO FISCAL YEAR 2011**

Agency: Attorney General

Program: Spyware Monitoring

Act #: 70 Section(s) #: 15 & 18

Estimated Carry Forward Amount \$ 95,066.00 Funding Source: Special

**Accounting Information:**

Business Area: 0053 Funds Center: 2YK Fund: SSM Functional Area: CNST

Current law requires a written statement be submitted to the DFA Office of Budget stating the reason(s) to carry forward funding for a program or a specific line item within a program remaining on June 30th of a fiscal year.

**Justification for carry forward of fund balance:**

The fund balance in this program will support the initial startup of the Spyware Unit when this program fully operational.

Actual Funding Carry Forward Amount \$ 95,022.41

**Current status of carry forward funding:**

Funds will be used for the Spyware Unit when the program is operational.

**Note from DFA – Office of Budget: Funds remaining at the end of any fiscal year from this fund must, by law, remain in the fund regardless of the future status of any project, contract or purpose. The Special Language that requires this report is no longer necessary.**

Honorable Dustin McDaniel  
Attorney General

08-18-2010  
Date



## Appropriation Summary

**Appropriation:** 38U - Internet Crime Child  
**Funding Sources:** FAY - Internet Crimes Federal

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2009-2010	2010-2011	2010-2011	2011-2012			2012-2013		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	27,784	0	45,450	0	45,450	0	0	45,450	0
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	2,216	0	4,550	0	4,550	0	0	4,550	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		30,000	0	50,000	0	50,000	0	0	50,000	0
<b>Funding Sources</b>										
Federal Revenue	4000020	30,000	0		0	50,000	0	0	50,000	0
Total Funding		30,000	0		0	50,000	0	0	50,000	0
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		30,000	0		0	50,000	0	0	50,000	0

No Executive Recommendation made on this appropriation.

## Change Level by Appropriation

**Appropriation:** 38U - Internet Crime Child  
**Funding Sources:** FAY - Internet Crimes Federal

### Agency Request

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
C01	Existing Program	50,000	0	50,000	100.0	50,000	0	50,000	100.0

**CARRY FORWARD OF ANY REMAINING FUND BALANCES  
FROM FISCAL YEAR 2010 TO FISCAL YEAR 2011**

Agency: Attorney General

Program: Internet Crime Child

Act #: 70 Section(s) #: 16 & 18

Estimated Carry Forward Amount \$ 0.00 Funding Source: Federal

**Accounting Information:**

Business Area: 0053 Funds Center: 38U Fund: FAY Functional Area: CNST

Current law requires a written statement be submitted to the DFA Office of Budget stating the reason(s) to carry forward funding for a program or a specific line item within a program remaining on June 30th of a fiscal year.

**Justification for carry forward of fund balance:**

There are currently no funds available for carry forward.

Actual Funding Carry Forward Amount \$ 0.00

**Current status of carry forward funding:**

No available funding.

**Note from DFA – Office of Budget: Funds remaining at the end of any fiscal year from this fund must, by law, remain in the fund regardless of the future status of any project, contract or purpose. The Special Language that requires this report is no longer necessary.**

Honorable Dustin McDaniel  
Attorney General

08-18-2010  
Date