

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING STATE  
9 AGENCIES DISPOSING OF PROPERTY THROUGH THE MARKETING AND  
10 REDISTRIBUTION DIVISION OF THE DEPARTMENT OF FINANCE AND  
11 ADMINISTRATION A METHOD OF DISBURSING PROCEEDS FROM SUCH  
12 DISPOSITIONS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1993;  
13 AND FOR OTHER PURPOSES."

14  
15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
18 Department of Finance and Administration - Disbursing Officer, to be payable  
19 from the Property Sales Holding Fund, to the various state agencies disposing  
20 of property through the marketing and redistribution Division of the  
21 Department of Finance and Administration for expending or disbursing the net  
22 proceeds from such property for the biennial period ending June 30, 1993, the  
23 following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) M & R PROCEEDS	<u>\$ 4,500,000</u>	<u>\$ 4,500,000</u>

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29 SECTION 2. TRANSFER PROVISION. The Department of Finance and  
30 Administration shall, upon transfer to the agencies or institutions fund or  
31 fund account of the proceeds derived from disposal of property by the  
32 Marketing and Redistribution Division for the benefit of various agencies,  
33 transfer appropriation, as provided in Section 1 hereof in such amount as  
34 funds are deposited into the Property Sales Holding Fund and transferred  
35 therefrom for the benefit of such agencies.

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2           SECTION 3. CLASSIFICATION AND USE OF APPROPRIATIONS. The  
3 appropriations authorized in Section 1 hereof which are transferred to the  
4 various agencies, as authorized in Section 2 hereof, are to be used for the  
5 maintenance and general operation of the benefiting agency and shall only be  
6 expended under the provisions cited in Arkansas Code 19-4-522, the same being  
7 the General Accounting and Budgetary Procedures Law of Arkansas. Provided,  
8 however, no appropriation authorized herein shall be expended for Conference  
9 and Travel Expenses or Professional Fees and Services.

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11           SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
12 authorized by this Act shall be limited to the appropriation for such agency  
13 and funds made available by law for the support of such appropriations; and  
14 the restrictions of the State Purchasing Law, the General Accounting and  
15 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
16 Procedures and Restrictions Act, or their successors, and other fiscal control  
17 laws of this State, where applicable, and regulations promulgated by the  
18 Department of Finance and Administration, as authorized by law, shall be  
19 strictly complied with in disbursement of said funds.

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21           SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
22 Assembly that any funds disbursed under the authority of the appropriations  
23 contained in this Act shall be in compliance with the stated reasons for which  
24 this Act was adopted, as evidenced by the Agency Requests, Executive  
25 Recommendations and Legislative Recommendations contained in the budget  
26 manuals prepared by the Department of Finance and Administration, letters, or  
27 summarized oral testimony in the official minutes of the Arkansas Legislative  
28 Council or Joint Budget Committee which relate to its passage and adoption.

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30           SECTION 6. CODE. All provisions of this Act of a general and permanent  
31 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
32 Code Revision Commission shall incorporate the same in the Code.

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34           SECTION 7. SEVERABILITY. If any provision of this Act or the  
35 application thereof to any person or circumstance is held invalid, such

1 invalidity shall not affect other provisions or applications of the Act which  
2 can be given effect without the invalid provision or application, and to this  
3 end the provisions of this Act are declared to be severable.

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5       SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
6 with this Act are hereby repealed.

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8       SECTION 9. HEALTH PREMIUMS. The Department of Finance and  
9 Administration - Disbursing Officer shall not, during the 1992-93 fiscal year,  
10 spend more for health insurance per employee than the amount being contributed  
11 to the State Employees Health Insurance Program.

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13       SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
14 Seventy-Eighth General Assembly, that the Constitution of the State of  
15 Arkansas prohibits the appropriation of funds for more than a two (2) year  
16 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
17 operation of the agency for which the appropriations in this Act are provided,  
18 and that in the event of an extension of the Regular Session, the delay in the  
19 effective date of this Act beyond July 1, 1991 could work irreparable harm  
20 upon the proper administration and provision of essential governmental  
21 programs. Therefore, an emergency is hereby declared to exist and this Act  
22 being necessary for the immediate preservation of the public peace, health and  
23 safety shall be in full force and effect from and after July 1, 1991.

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