

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR TRANSFERS TO VARIOUS
9 STATE AGENCIES FOR THE DEPARTMENT OF FINANCE AND
10 ADMINISTRATION - DISBURSING OFFICER FOR THE BIENNIAL
11 PERIOD ENDING JUNE 30, 1993; AND FOR OTHER PURPOSES."

12
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

14
15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
16 Department of Finance and Administration - Disbursing Officer, to be payable
17 from the various state agencies' funds for the purpose of providing the
18 various state agencies with a method of disbursing proceeds received from
19 refunds, for the biennial period ending June 30, 1993, the following:

21 ITEM	FISCAL YEARS	
22 NO.	1991-92	1992-93
23 (01) REFUND TO EXPENDITURES	<u>\$3,000,000,000</u>	<u>\$3,000,000,000</u>

24
25
26 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
27 Department of Finance and Administration - Disbursing Officer, to be payable
28 from the various State Treasury Funds, fund accounts or accounts, for the
29 purpose of providing various offices of the elected Constitutional Officers,
30 including the Bureau of Legislative Research, the Division of Legislative
31 Audit, and the Judicial Department with supplemental appropriations for
32 payment of regular salaries for the biennial period ending June 30, 1993, the
33 following:

34
35 ITEM FISCAL YEARS

1	NO.	1991-92	1992-93
2			
3	(01) REGULAR SALARIES - ELECTED OFFICIALS	<u>\$1,500,000</u>	<u>\$1,500,000</u>
4			

5 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the
6 Department of Finance and Administration - Disbursing Officer, to be payable
7 from the various State Treasury Funds, fund accounts or accounts, for the
8 purpose of providing various State agencies with supplemental appropriation
9 for payment of overtime compensation, personal services matching, and regular
10 salaries for the biennial period ending June 30, 1993, the following:

12	ITEM	FISCAL YEARS	
13	NO.	1991-92	1992-93
14	(01) OVERTIME COMPENSATION	\$ 5,000,000	\$ 5,000,000
15	(02) PERSONAL SERV MATCHING	4,000,000	4,000,000
16	(03) REGULAR SALARIES-STATE EMPLOYEES	<u>1,000,000</u>	<u>1,000,000</u>
17	TOTAL AMOUNT APPROPRIATED	<u>\$10,000,000</u>	<u>\$ 10,000,000</u>

18
19 SECTION 4. TRANSFER PROVISIONS. The Department of Finance and
20 Administration shall transfer appropriation as provided in Section 1 hereof in
21 such amounts as funds are deposited into the State Treasury or financial
22 institutions for proceeds received from insurance policies for casualty
23 losses, overpayment of obligations, overpayment of salaries, over-allocation
24 of federal assistance, maturity or redemption of investments, and subrogation
25 payments received for workers' compensation claims paid, for the benefit of
26 various state agencies. Provided, however, that the Chief Fiscal Officer of
27 the State is hereby authorized to promulgate such rules, regulations,
28 procedures, and guidelines as he may deem necessary and proper in order to
29 carry out the provisions of this act.

30
31 SECTION 5. CLASSIFICATION AND USE OF APPROPRIATIONS. The
32 appropriations authorized in Section 1 hereof which are transferred to the
33 various agencies as authorized by Section 4 hereof are to be used for the same
34 purposes and shall be expended under the same provisions as cited in Arkansas
35 ~~Code 19-4-501 through 19-4-525, the same being the General Accounting and~~

1 Budgetary Procedures Law of Arkansas, or its successor.

2

3 SECTION 6. TRANSFER PROCEDURES - OVERTIME. In the event that there is
 4 not sufficient appropriation provided for by the General Assembly for overtime
 5 compensation pursuant to Arkansas Code 19-4-1612 for any state agency for the
 6 biennial period ending June 30, 1993, said agency shall request a transfer
 7 from appropriations provided by item (01) of Section 3 herein, from the Chief
 8 Fiscal Officer of the State, stating clearly the amount required. Upon
 9 approval of the Chief Fiscal Officer of the State, and after seeking prior
 10 review by the Arkansas Legislative Council, the State Auditor shall be
 11 notified as to the amount and the purposes for which said appropriation is to
 12 be made. The appropriation shall be established upon the books of the
 13 Department of Finance and Administration and the State Auditor. Provided,
 14 further, that if desired, said appropriation shall be supplemental to those
 15 regularly appropriated for such purposes by the General Assembly for that
 16 agency.

17

18 SECTION 7. TRANSFER PROCEDURES - MATCHING. In the event that there is
 19 not sufficient appropriation, from funds deposited in the State Treasury,
 20 provided for by the General Assembly for personal services matching for any
 21 state agency for the biennial period ending June 30, 1993, said agency shall
 22 request a transfer from appropriation provided by item (02) of Section 3
 23 herein, from the Chief Fiscal Officer of the State, stating clearly the
 24 amounts required for each item. Upon approval of the Chief Fiscal Officer of
 25 the State, the State Auditor shall be notified as to the amount and the
 26 purposes for which said appropriation is to be made and shall be established
 27 upon the books of the Department of Finance and Administration and the State
 28 Auditor. Provided further, if desired, that said appropriation shall be
 29 supplemental to those regularly appropriated for such purposes by the General
 30 Assembly for that agency. Provided, however, that in the event the amount of
 31 transfer requested exceeds One Thousand Dollars (\$1,000), the Chief Fiscal
 32 Officer of the State shall seek prior review by the Arkansas Legislative
 33 Council before said transfer shall be made.

34

35 SECTION 8. TRANSFER OF APPROPRIATION - ELECTED OFFICERS. If it is

1 determined by any office of an elected Constitutional Officer, including the
2 Bureau of Legislative Research, Division of Legislative Audit or the Judicial
3 Department, that there is not sufficient appropriation for Regular Salaries to
4 pay the maximum salaries which have been set by the General Assembly for the
5 employees of such Office, the Director of the Office shall notify the Chief
6 Fiscal Officer of the fact and the amount of appropriation which has been
7 determined to be required. Upon receipt of such notification, and after
8 seeking prior review by the Legislative Council or Joint Budget Committee, the
9 Chief Fiscal Officer of the State shall transfer on his books the amount of
10 appropriation required from the appropriation provided in Section 2 hereof to
11 the Fund or Fund Account from which the Office's employees are paid and shall
12 notify the State Auditor to process such transfer upon his books of record.

13

14 SECTION 9. TRANSFER PROCEDURES - REGULAR SALARIES. In the event that
15 there is not sufficient appropriation provided for by the General Assembly for
16 payment of Regular Salaries for any state agency for the biennial period
17 ending June 30, 1993, said agency may request a transfer from appropriations
18 provided by item (03) of Section 3 herein, from the Chief Fiscal Officer of
19 the State, stating clearly the amount required. Upon approval of the Chief
20 Fiscal Officer of the State, and after seeking prior review by the Arkansas
21 Legislative Council, the State Auditor shall be notified as to the amount and
22 the purposes for which said appropriation is to be made. The appropriation
23 shall then be established upon the books of the Department of Finance and
24 Administration and the State Auditor. Provided further, that if desired, said
25 appropriation shall be supplemental to those regularly appropriated for such
26 purposes by the General Assembly for the agency.

27

28 SECTION 10. RESTRICTIONS. Nothing in this Act is to be construed as an
29 authority to transfer a like amount of current general revenues to fund
30 appropriations provided for in this Act.

31

32 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
33 authorized by this Act shall be limited to the appropriation for such agency
34 and funds made available by law for the support of such appropriations; and
35 the restrictions of the State Purchasing Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
2 Procedures and Restrictions Act, or their successors, and other fiscal control
3 laws of this State, where applicable, and regulations promulgated by the
4 Department of Finance and Administration, as authorized by law, shall be
5 strictly complied with in disbursement of said funds.

6

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

15

16 SECTION 13. CODE. All provisions of this Act of a general and
17 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
18 the Arkansas Code Revision Commission shall incorporate the same in the Code.

19

20 SECTION 14. SEVERABILITY. If any provision of this Act or the
21 application thereof to any person or circumstance is held invalid, such
22 invalidity shall not affect other provisions or applications of the Act which
23 can be given effect without the invalid provision or application, and to this
24 end the provisions of this Act are declared to be severable.

25

26 SECTION 15. GENERAL REPEALER. All laws and parts of laws in conflict
27 with this Act are hereby repealed.

28

29 SECTION 16. HEALTH PREMIUMS. The Department of Finance and
30 Administration - Disbursing Officer shall not, during the 1992-93 fiscal year,
31 spend more for health insurance per employee than the amount being contributed
32 to the State Employees Health Insurance Program.

33

34 SECTION 17. EMERGENCY CLAUSE. It is hereby found and determined by the
35 Seventy-Eighth General Assembly, that the Constitution of the State of

1 Arkansas prohibits the appropriation of funds for more than a two (2) year
2 period; that the effectiveness of this Act on July 1, 1991 is essential to the
3 operation of the agency for which the appropriations in this Act are provided,
4 and that in the event of an extension of the Regular Session, the delay in the
5 effective date of this Act beyond July 1, 1991 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 1991.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

- 1
- 2
- 3
- 4
- 5
- 6
- 7