

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 REAPPROPRIATE THE BALANCES OF CAPITAL  
9 IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS DEVELOPMENT  
10 FINANCE AUTHORITY; AND FOR OTHER PURPOSES."

11

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

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14 SECTION 1. REAPPROPRIATION. There is hereby appropriated, to the  
15 Arkansas Development Finance Authority, to be payable from the General  
16 Improvement Fund or its successor fund or fund accounts, for the Arkansas  
17 Development Finance Authority, the following:

18 (A) Effective July 1, 1991, the balance of the appropriation provided  
19 in Item (01) of Section 4 of Act 36 of the First Extraordinary Session of  
20 1989, for the purpose of allowing a fund transfer to the Construction Grants  
21 Revolving Loan Fund, in a sum not to exceed ..... \$3,900,000.

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23 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
24 obligations otherwise incurred in relation to the project or projects  
25 described herein in excess of the State Treasury funds actually available  
26 therefor as provided by law. Provided, however, that institutions and  
27 agencies listed herein shall have the authority to accept and use grants and  
28 donations including Federal funds, and to use its unobligated cash income or  
29 funds, or both available to it, for the purpose of supplementing the State  
30 Treasury funds for financing the entire costs of the project or projects  
31 enumerated herein. Provided further, that the appropriations and funds  
32 otherwise provided by the General Assembly for Maintenance and General  
33 Operations of the agency or institutions receiving appropriation herein shall  
34 not be used for any of the purposes as appropriated in this Act.

35 (B) Any restrictions contained in the Acts enumerated in the

1 reappropriation sections of this Act, the restrictions of any applicable  
2 provisions of the State Purchasing Law, the General Accounting and Budgetary  
3 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal  
4 control laws of this State and regulations promulgated by the Department of  
5 Finance and Administration, as authorized by law, shall be strictly complied  
6 with in disbursement of any funds provided by this Act unless specifically  
7 provided otherwise by law.

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9 SECTION 3. 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 which  
12 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 4. CODE. All provisions of this Act of a general and permanent  
19 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
20 Code Revision Commission shall incorporate the same in the Code.

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22 SECTION 5. SEVERABILITY. If any provision of this Act or the  
23 application thereof to any person or circumstance is held invalid, such  
24 invalidity shall not affect other provisions or applications of the Act which  
25 can be given effect without the invalid provision or application, and to this  
26 end the provisions of this Act are declared to be severable.

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

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31 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the  
32 Seventy-Eighth General Assembly, that the Constitution of the State of  
33 Arkansas prohibits the appropriation of funds for more than a two (2) year  
34 period; that previous General Assemblies have provided appropriations for the  
35 projects provided enumerated in this act; that certain appropriations will

1 expire before the adjournment of the General Assembly; and that if such  
2 appropriations expire, the projects and programs authorized herein will cease  
3 thereby depriving the citizens of the State of the benefits to be derived from  
4 such projects. Therefore, an emergency is hereby declared to exist and this  
5 Act being necessary for the immediate preservation of the public peace, health  
6 and safety shall be in full force and effect from and after the date of its  
7 passage and approval.

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