

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

A BILL ACT 108 OF 1991
HOUSE BILL 1320

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING
10 STATE AGENCIES WITH CASH FUND APPROPRIATIONS TO ALLOW THE
11 EXPENDITURE OF FUNDS WHICH ARE NOT EXEMPT FROM
12 APPROPRIATION BY SECTION 7 OF ACT 5 OF 1975, AS AMENDED,
13 BUT WERE NOT SPECIFICALLY APPROPRIATED BY THE SEVENTY-
14 EIGHTH GENERAL ASSEMBLY FOR THE BIENNIAL PERIOD ENDING
15 JUNE 30, 1993; AND FOR OTHER PURPOSES."

16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
20 Department of Finance and Administration - Disbursing Officer, to be payable
21 from the various state agency cash funds, for the purpose of providing various
22 state agencies with appropriations for cash funds for the biennial period
23 ending June 30, 1993, the following:

24	25 ITEM	26 FISCAL YEARS	
		1991-92	1992-93
27	(01) CASH APPROPRIATIONS	<u>\$ 50,000,000</u>	<u>\$50,000,000</u>

28
29 SECTION 2. TRANSFER PROCEDURES. In the event that the appropriation is
30 not provided by the General Assembly for Cash Fund expenditures for any state
31 agency, pursuant to Arkansas Code 19-4-801 et. seq., said agency shall request
32 a transfer of appropriation from the Chief Fiscal Officer of the State,
33 stating clearly the amount required. Upon approval of the Chief Fiscal
34 Officer of the State, and after seeking prior review by the Arkansas
35 Legislative Council, said cash fund appropriations shall be established upon
36 the books of the Department of Finance and Administration, provided further,

1 that upon request of the state agency and with the approval of the Chief
2 Fiscal Officer of the State, the requested appropriations may be established
3 upon the books of the Department of Finance and Administration in compliance
4 with the applicable classifications of appropriations as enumerated in
5 Arkansas Code 19-4-521 through 19-4-525.

6

7 SECTION 3. The appropriations provided in Section 1 herein shall not be
8 used to establish spending authority for new or unanticipated Federal Funds or
9 Programs as defined by the provisions of the Miscellaneous Federal Grant
10 Programs Act, Arkansas Code §§19-7-501 et. seq., and the provisions of the
11 General Accounting and Budgetary Procedures Act, Arkansas Code 19-4-101 et.
12 seq., or its successor. Funds subject to the above mentioned acts shall be
13 deposited in the State Treasury.

14

15 SECTION 4. SALARIES. No provisions as provided herein shall be
16 interpreted as the authority to create or establish new positions in addition
17 to the positions established in the agency's Biennial Appropriation Act. In
18 addition, salaries paid from appropriations transferred herein shall be
19 subject to the provision of the Regular Salaries Procedures and Restrictions
20 Act.

21

22 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
23 by this Act shall be limited to the appropriation for such agency and funds
24 made available by law for the support of such appropriations; and the
25 restrictions of the State Purchasing Law, the General Accounting and Budgetary
26 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures
27 and Restrictions Act, or their successors, and other fiscal control laws of
28 this State, where applicable, and regulations promulgated by the Department of
29 Finance and Administration, as authorized by law, shall be strictly complied
30 with in disbursement of said funds.

31

32 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this Act shall be in compliance with the stated reasons for which
35 this Act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.

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6 SECTION 7. CODE. All provisions of this Act of a general and permanent
7 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
8 Code Revision Commission shall incorporate the same in the Code.

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10 SECTION 8. SEVERABILITY. If any provision of this Act or the
11 application thereof to any person or circumstance is held invalid, such
12 invalidity shall not affect other provisions or applications of the Act which
13 can be given effect without the invalid provision or application, and to this
14 end the provisions of this Act are declared to be severable.

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16 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
17 with this Act are hereby repealed.

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

23

24 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
25 Seventy-Eighth General Assembly, that the Constitution of the State of
26 Arkansas prohibits the appropriation of funds for more than a two (2) year
27 period; that the effectiveness of this Act on July 1, 1991 is essential to the
28 operation of the agency for which the appropriations in this Act are provided,
29 and that in the event of an extension of the Regular Session, the delay in the
30 effective date of this Act beyond July 1, 1991 could work irreparable harm
31 upon the proper administration and provision of essential governmental
32 programs. Therefore, an emergency is hereby declared to exist and this Act
33 being necessary for the immediate preservation of the public peace, health and
34 safety shall be in full force and effect from and after July 1, 1991.

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