

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

A BILL ACT 444 OF 1991
HOUSE BILL 1775

For An Act To Be Entitled

8 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE SECRETARY OF STATE; AND
10 FOR OTHER PURPOSES."

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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 Secretary of State, to be payable from the General Improvement Fund or its
16 successor fund or fund accounts, for the Secretary of State, the following:

17 (A) Effective July 1, 1991, the balance of the appropriation provided
18 in Item (A) of Section 1 of Act 64 of the First Extraordinary Session of 1989,
19 for miscellaneous repairs to Capitol exterior, in a sum not to exceed
20 \$815,195.

21 (B) Effective July 1, 1991, the balance of the appropriation provided
22 in Item (B) of Section 1 of Act 64 of the First Extraordinary Session of 1989,
23 for completion of Capitol Central Heat and Air Project, in a sum not to exceed
24 \$1,896,078.

25 (C) Effective July 1, 1991, the balance of the appropriation provided
26 in Item (C) of Section 1 of Act 64 of the First Extraordinary Session of 1989,
27 for miscellaneous repairs to Capitol interior, in a sum not to exceed
28 \$907,812.

29 (D) Effective July 1, 1991, the balance of the appropriation provided
30 in Item (A) of Section 1 of Act 131 of the First Extraordinary Session of
31 1989, for the erection and maintenance of a monument on the State Capitol
32 grounds honoring law enforcement officers, in a sum not to exceed . . \$200,000.

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34 SECTION 2. RESTRICTIONS. Prior to obligating any of the funds
35 appropriated herein, the Secretary of State shall consult with the Joint
36 Committee on Legislative Facilities.

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SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and agencies listed herein shall have the authority to accept and use grants and donations including Federal funds, and to use its unobligated cash income or funds, or both available to it, for the purpose of supplementing the State Treasury funds for financing the entire costs of the project or projects enumerated herein. Provided further, that the appropriations and funds otherwise provided by the General Assembly for Maintenance and General Operations of the agency or institutions receiving appropriation herein shall not be used for any of the purposes as appropriated in this Act.

(B) Any restrictions contained in the Acts enumerated in the reapportionment sections of this Act, the restrictions of any applicable provisions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law and any other applicable fiscal control laws of this State and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of any funds provided by this Act unless specifically provided otherwise by law.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 5. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

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SECTION 6. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects provided enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will cease thereby depriving the citizens of the State of the benefits to be derived from such projects. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval.

APPROVED: 3-11-91

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