

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 327 OF 1995
SENATE BILL 423

For An Act To Be Entitled

8 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS DEPARTMENT OF
10 COMMUNITY PUNISHMENT; AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT FOR THE ARKANSAS DEPARTMENT OF
14 COMMUNITY PUNISHMENT REAPPROPRIATION."

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

18 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
19 appropriated, to the Arkansas Department of Community Punishment, to be
20 payable from the General Improvement Fund or its successor fund or fund
21 accounts, for the Arkansas Department of Community Punishment, the following:
22 (A) Effective July 1, 1995, the balance of the appropriation provided
23 in Item (A) of Section 2 of Act 870 of 1993, for constructing, renovating, and
24 equipping various community correctional facilities, in a sum not to exceed. .
25 \$200,000.

27 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
28 obligations otherwise incurred in relation to the project or projects
29 described herein in excess of the State Treasury funds actually available
30 therefor as provided by law. Provided, however, that institutions and
31 agencies listed herein shall have the authority to accept and use grants and
32 donations including Federal funds, and to use its unobligated cash income or
33 funds, or both available to it, for the purpose of supplementing the State
34 Treasury funds for financing the entire costs of the project or projects
35 enumerated herein. Provided further, that the appropriations and funds
36 otherwise provided by the General Assembly for Maintenance and General

1 Operations of the agency or institutions receiving appropriation herein shall
2 not be used for any of the purposes as appropriated in this Act.

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

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12 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General
13 Assembly that any funds disbursed under the authority of the appropriations
14 contained in this Act shall be in compliance with the stated reasons for which
15 this Act was adopted, as evidenced by the Agency Requests, Executive
16 Recommendations and Legislative Recommendations contained in the budget
17 manuals prepared by the Department of Finance and Administration, letters, or
18 summarized oral testimony in the official minutes of the Arkansas Legislative
19 Council or Joint Budget Committee which relate to its passage and adoption.

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21 SECTION 4. CODE. All provisions of this Act of a general and permanent
22 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
23 Code Revision Commission shall incorporate the same in the Code.

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

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

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34 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the
35 Eightieth General Assembly, that the Constitution of the State of Arkansas

1 prohibits the appropriation of funds for more than a two (2) year period; that
2 previous General Assemblies have provided appropriations for the projects
3 provided or enumerated in this act; that certain appropriations will expire
4 before the adjournment of the General Assembly; and that if such
5 appropriations expire, the projects and programs authorized herein will cease
6 thereby depriving the citizens of the State of the benefits to be derived from
7 such projects. Therefore, an emergency is hereby declared to exist and this
8 Act being necessary for the immediate preservation of the public peace, health
9 and safety shall be in full force and effect from and after the date of its
10 passage and approval.

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APPROVED: 2-14-95

