

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

# A Bill

**ACT 35 OF 1995**  
**HOUSE BILL 1189**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING STATE  
9 AGENCIES DISPOSING OF PROPERTY THROUGH THE MARKETING AND  
10 REDISTRIBUTION DIVISION OF THE DEPARTMENT OF FINANCE AND  
11 ADMINISTRATION A METHOD OF DISBURSING PROCEEDS FROM SUCH  
12 DISPOSITIONS FOR THE DEPARTMENT OF FINANCE AND  
13 ADMINISTRATION - DISBURSING OFFICER FOR THE BIENNIAL  
14 PERIOD ENDING JUNE 30, 1997; AND FOR OTHER PURPOSES."

## Subtitle

17 "AN ACT FOR THE DEPARTMENT OF FINANCE  
18 AND ADMINISTRATION - DISBURSING OFFICER  
19 APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

22  
23 SECTION 1. APPROPRIATIONS . There is hereby appropriated, to the  
24 Department of Finance and Administration - Disbursing Officer, to be payable  
25 from the Property Sales Holding Fund, to the various state agencies disposing  
26 of property through the Marketing and Redistribution Division of the  
27 Department of Finance and Administration for expending or disbursing the net  
28 proceeds from such property for the biennial period ending June 30, 1997, the  
29 following:

31 ITEM	32 FISCAL YEARS	
	<del>NO.</del>	<del>1995-96</del> <del>1996-97</del>
33 (01) M & R PROCEEDS	\$	<u>4,500,000</u> \$ <u>4,500,000</u>

34  
35 SECTION 2. CLASSIFICATION AND USE OF APPROPRIATIONS. The  
36 appropriations authorized in Section 1 hereof which are transferred to the

1 various agencies, as authorized in Section 3 hereof, are to be used for the  
2 maintenance and general operation of the benefiting agency and shall only be  
3 expended under the provisions cited in Arkansas Code 19-4-522, the same being  
4 the General Accounting and Budgetary Procedures Law of Arkansas. Provided,  
5 however, no appropriation authorized herein shall be expended for Conference  
6 and Travel Expenses or Professional Fees and Services.

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8       SECTION 3. TRANSFER PROVISION. The Department of Finance and  
9 Administration shall, upon transfer to the agencies or institutions fund or  
10 fund account of the proceeds derived from disposal of property by the  
11 Marketing and Redistribution Division for the benefit of various agencies,  
12 transfer appropriation, as provided in Section 1 hereof in such amount as  
13 funds are deposited into the Property Sales Holding Fund and transferred  
14 therefrom for the benefit of such agencies.

15

16       SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
17 authorized by this Act shall be limited to the appropriation for such agency  
18 and funds made available by law for the support of such appropriations; and  
19 the restrictions of the State Purchasing Law, the General Accounting and  
20 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
21 Procedures and Restrictions Act, or their successors, and other fiscal control  
22 laws of this State, where applicable, and regulations promulgated by the  
23 Department of Finance and Administration, as authorized by law, shall be  
24 strictly complied with in disbursement of said funds.

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26       SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
27 Assembly that any funds disbursed under the authority of the appropriations  
28 contained in this Act shall be in compliance with the stated reasons for which  
29 this Act was adopted, as evidenced by the Agency Requests, Executive  
30 Recommendations and Legislative Recommendations contained in the budget  
31 manuals prepared by the Department of Finance and Administration, letters, or  
32 summarized oral testimony in the official minutes of the Arkansas Legislative  
33 Council or Joint Budget Committee which relate to its passage and adoption.

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35       SECTION 6. CODE. All provisions of this Act of a general and permanent

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
2 Code Revision Commission shall incorporate the same in the Code.

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4 SECTION 7. SEVERABILITY. If any provision of this Act or the  
5 application thereof to any person or circumstance is held invalid, such  
6 invalidity shall not affect other provisions or applications of the Act which  
7 can be given effect without the invalid provision or application, and to this  
8 end the provisions of this Act are declared to be severable.

9

10 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
11 with this Act are hereby repealed.

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13 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
14 Eightieth General Assembly, that the Constitution of the State of Arkansas  
15 prohibits the appropriation of funds for more than a two (2) year period; that  
16 the effectiveness of this Act on July 1, 1995 is essential to the operation of  
17 the agency for which the appropriations in this Act are provided, and that in  
18 the event of an extension of the Regular Session, the delay in the effective  
19 date of this Act beyond July 1, 1995 could work irreparable harm upon the  
20 proper administration and provision of essential governmental programs.  
21 Therefore, an emergency is hereby declared to exist and this Act being  
22 necessary for the immediate preservation of the public peace, health and  
23 safety shall be in full force and effect from and after July 1, 1995.

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APPROVED: 1/23/95

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