

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

A Bill

ACT 89 OF 1995
HOUSE BILL 1220

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE
10 PURPOSE OF PROVIDING STATE AGENCIES WITH CASH FUND
11 APPROPRIATIONS TO ALLOW THE EXPENDITURE OF FUNDS WHICH ARE
12 NOT EXEMPT FROM APPROPRIATION BY SECTION 7 OF ACT 5 OF
13 1975, AS AMENDED, BUT WERE NOT SPECIFICALLY APPROPRIATED
14 BY THE EIGHTIETH GENERAL ASSEMBLY FOR THE BIENNIAL PERIOD
15 ENDING JUNE 30, 1997; AND FOR OTHER PURPOSES."

Subtitle

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

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

24 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
25 Department of Finance and Administration - Disbursing Officer, to be payable
26 from various state agency cash funds, for the purpose of providing various
27 state agencies with appropriations for cash funds for the biennial period
28 ending June 30, 1997, the following:

30 ITEM	31 FISCAL YEARS	
	1995-96	1996-97
32 (01) CASH APPROPRIATIONS	<u>\$ 50,000,000</u>	<u>\$ 50,000,000</u>

34 SECTION 2. TRANSFER PROCEDURES. In the event that the appropriation is
35 not provided by the General Assembly for Cash Fund expenditures for any state
36 agency, pursuant to Arkansas Code 19-4-801 et. seq., said agency shall request

1 a transfer of appropriation from the Chief Fiscal Officer of the State,
2 stating clearly the amount required. Upon approval of the Chief Fiscal
3 Officer of the State, and after seeking prior review by the Arkansas
4 Legislative Council, said cash fund appropriations shall be established upon
5 the books of the Department of Finance and Administration, provided further,
6 that upon request of the state agency and with the approval of the Chief
7 Fiscal Officer of the State, the requested appropriations may be established
8 upon the books of the Department of Finance and Administration in compliance
9 with the applicable classifications of appropriations as enumerated in
10 Arkansas Code 19-4-521 through 19-4-525.

11

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

19

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

26

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

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2 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
3 Assembly that any funds disbursed under the authority of the appropriations
4 contained in this Act shall be in compliance with the stated reasons for which
5 this Act was adopted, as evidenced by the Agency Requests, Executive
6 Recommendations and Legislative Recommendations contained in the budget
7 manuals prepared by the Department of Finance and Administration, letters, or
8 summarized oral testimony in the official minutes of the Arkansas Legislative
9 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

23

24 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
25 Eightieth General Assembly, that the Constitution of the State of Arkansas
26 prohibits the appropriation of funds for more than a two (2) year period; that
27 the effectiveness of this Act on July 1, 1995 is essential to the operation of
28 the agency for which the appropriations in this Act are provided, and that in
29 the event of an extension of the Regular Session, the delay in the effective
30 date of this Act beyond July 1, 1995 could work irreparable harm upon the
31 proper administration and provision of essential governmental programs.
32 Therefore, an emergency is hereby declared to exist and this Act being
33 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, 1995.

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