

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

Act 350 of 2001  
HOUSE BILL 1649

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR ALLOCATION OF THE  
10 FEDERAL BANKHEAD-JONES GRANTS AND FEDERAL TURNBACK FOR  
11 ROADS BY THE AUDITOR OF STATE FOR THE BIENNIAL PERIOD  
12 ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.  
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## Subtitle

15 AN ACT FOR THE AUDITOR OF STATE - FOR  
16 ALLOCATIONS OF FEDERAL FUNDS  
17 APPROPRIATION FOR THE 2001-2003  
18 BIENNIAL PERIOD.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. APPROPRIATION - BANKHEAD-JONES. There is hereby appropriated, to  
25 the Auditor of State, to be payable from the federal funds as designated by  
26 the Chief Fiscal Officer of the State, for allocation of the federal funds  
27 received under the Bankhead-Jones Grants by the Auditor of State for the  
28 biennial period ending June 30, 2003, the following:  
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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) BANKHEAD-JONES GRANTS	\$ 220,000	\$ 220,000

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34 SECTION 2. APPROPRIATION - FEDERAL TURNBACK FOR ROADS. There is hereby  
35 appropriated, to the Auditor of State, to be payable from the federal funds as  
36 designated by the Chief Fiscal Officer of the State, for allocation of the

1 Forest Reserve, Flood Control, Mineral Leasing, Taylor Grazing and Public  
 2 Domain Sale by the Auditor of State for the biennial period ending June 30,  
 3 2003, the following:

4 ITEM	FISCAL YEARS	
5 NO.	2001-2002	2002-2003
6 (01) FEDERAL TURNBACK FOR ROADS	\$ <u>2,750,000</u>	\$ <u>2,750,000</u>

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 8 SECTION 3. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 9 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
 10 appropriations as provided in this Act, the agency disbursing officer shall  
 11 monitor the level of fund balances in relation to expenditures on a monthly  
 12 basis. If any proposed expenditures would cause a fund balance to decline to  
 13 less than fifty percent (50%) of the balance available on July 1, 2001, the  
 14 disbursing officer shall immediately notify the executive head of the agency.

15 Prior to any obligations being made under these circumstances, the agency  
 16 head shall file written documentation with the Chief Fiscal Officer of the  
 17 State requesting approval of the expenditures. Such documentation shall  
 18 provide sufficient financial data to justify the expenditures and shall  
 19 include the following:

- 20 1) a plan that clearly indicates the specific fiscal impact of such
- 21 expenditures on the fund balance.
- 22 2) information clearly indicating and explaining what programs would be cut or
- 23 any other measures to be taken by the agency to restore the fund balance.
- 24 3) the extent to which any of the planned expenditures are for one-time costs
- 25 or one-time purchase of capitalized items.
- 26 4) a statement certifying that the expenditure of fund balances will not
- 27 jeopardize the financial health of the agency, nor result in a permanent
- 28 depletion of the fund balance.

29 (B) The Chief Fiscal Officer of the State shall review the request and  
 30 approve or disapprove all or any part of the request, after having sought  
 31 prior review by the Legislative Council.

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 33 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
 34 this act shall be limited to the appropriation for such agency and funds made  
 35 available by law for the support of such appropriations; and the restrictions  
 36 of the State Purchasing Law, the General Accounting and Budgetary Procedures

1 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
2 Restrictions Act, or their successors, and other fiscal control laws of this  
3 State, where applicable, and regulations promulgated by the Department of  
4 Finance and Administration, as authorized by law, shall be strictly complied  
5 with in disbursement of said funds.

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

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16 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
17 Assembly, that the Constitution of the State of Arkansas prohibits the  
18 appropriation of funds for more than a two (2) year period; that the  
19 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
20 agency for which the appropriations in this Act are provided, and that in the  
21 event of an extension of the Regular Session, the delay in the effective date  
22 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
23 administration and provision of essential governmental programs. Therefore, an  
24 emergency is hereby declared to exist and this Act being necessary for the  
25 immediate preservation of the public peace, health and safety shall be in full  
26 force and effect from and after July 1, 2001.

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29 APPROVED: 2/21/2001  
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