

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 296 of 1999
HOUSE BILL 1531

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR VARIOUS STATE
10 AGENCY TRANSFERS; TO DISBURSE MARKETING AND
11 REDISTRIBUTION PROCEEDS; TO MAKE CAREER RECOGNITION
12 PAYMENTS; FOR PAYING UNEMPLOYMENT COMPENSATION CLAIMS;
13 FOR THE PURCHASE OF VEHICLES; FOR THE DEPARTMENT OF
14 FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR
15 THE BIENNIAL PERIOD ENDING JUNE 30, 2001; AND FOR
16 OTHER PURPOSES. "

Subtitle

17
18
19 "AN ACT FOR THE DEPARTMENT OF FINANCE
20 AND ADMINISTRATION - DISBURSING OFFICER
21 - VARIOUS AGENCY TRANSFERS APPROPRIATION
22 FOR THE 1999-2001 BIENNIUM. "

23
24
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 SECTION 1. APPROPRIATION - MARKETING AND REDISTRIBUTION. There is hereby
28 appropriated, to the Department of Finance and Administration - Disbursing
29 Officer, to be payable from the Property Sales Holding Fund, for state
30 agencies for expending or disbursing the net proceeds from property sold
31 through the Marketing and Redistribution Division of the Department of Finance
32 and Administration - Disbursing Officer for the biennial period ending June
33 30, 2001, the following:
34

| ITEM | FISCAL YEARS | |
|-------|--------------|-----------|
| NO. | 1999-2000 | 2000-2001 |
| <hr/> | | |

PLR072

(01) MARKETING / REDISTRIBUTION PROCEEDS \$ 4,500,000 \$ 4,500,000

SECTION 2. APPROPRIATION - CAREER RECOGNITION PAYMENTS. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the Merit Adjustment Fund, for providing annual career service recognition payments to classified employees of state agencies for the biennial period ending June 30, 2001, the following:

| ITEM NO. | FISCAL YEARS | |
|----------------------------------|---------------------|---------------------|
| | 1999-2000 | 2000-2001 |
| (01) CAREER RECOGNITION PAYMENTS | \$ <u>5,876,599</u> | \$ <u>6,404,465</u> |

SECTION 3. APPROPRIATION - MISCELLANEOUS TRANSFER APPROPRIATIONS . There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the Miscellaneous State Treasury Funds, for providing constitutional officers and various state agencies with supplemental appropriations for the biennial period ending June 30, 2001, the following:

| ITEM NO. | FISCAL YEARS | |
|---|----------------------|----------------------|
| | 1999-2000 | 2000-2001 |
| (01) OVERTIME | \$ 5,000,000 | \$ 5,000,000 |
| (02) PERSONAL SERV MATCHING | 4,000,000 | 4,000,000 |
| (03) REGULAR SALARIES - ELECTED OFFICIALS | 1,500,000 | 1,500,000 |
| (04) PERSONAL SERVICES - PAY PLAN ADJUSTMENTS | 56,971,199 | 56,971,199 |
| (05) REFUND TO EXPENDITURES | 500,000 | 500,000 |
| (06) REGULAR SALARIES - STATE EMPLOYEES | <u>1,000,000</u> | <u>1,000,000</u> |
| TOTAL AMOUNT APPROPRIATED | \$ <u>68,971,199</u> | \$ <u>68,971,199</u> |

SECTION 4. APPROPRIATION - UNEMPLOYMENT COMPENSATION. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the Unemployment Compensation Trust Fund, for paying unemployment compensation claims in accordance with the Employment Security Amendments for the biennial period ending June 30, 2001, the

1 fol lowi ng:

2

| 3 ITEM | FI SCAL YEARS | |
|----------------------------------|---------------------|---------------------|
| 4 <u>NO.</u> | 1999-2000 | 2000-2001 |
| 5 (01) UNEMPLOYMENT COMPENSATION | \$ <u>4,000,000</u> | \$ <u>4,000,000</u> |

6

7 SECTION 5. APPROPRIATIONS - VARIOUS AGENCIES CASH. There is hereby
 8 appropriated, to the Department of Finance and Administration - Disbursing
 9 Officer, to be payable from various state agency cash funds for providing
 10 various state agencies with appropriations for cash funds for the biennial
 11 period ending June 30, 2001, the following:

12

| 13 ITEM | FI SCAL YEARS | |
|------------------------------|----------------------|----------------------|
| 14 <u>NO.</u> | 1999-2000 | 2000-2001 |
| 15 (01) CASH APPROPRIATIONS | \$ 50,000,000 | \$ 50,000,000 |
| 16 (02) PERSONAL SERVICES | <u>7,524,316</u> | <u>7,524,316</u> |
| 17 TOTAL AMOUNT APPROPRIATED | <u>\$ 57,524,316</u> | <u>\$ 57,524,316</u> |

18

19 SECTION 6. APPROPRIATION - MISCELLANEOUS FEDERAL PROGRAMS. There is hereby
 20 appropriated, to the Department of Finance and Administration - Disbursing
 21 Officer, to be payable from any unanticipated miscellaneous Federal Program
 22 Funds received by the State of Arkansas or any of its agencies which are
 23 deposited in the State Treasury for transfer to state agencies as provided by
 24 law for the biennial period ending June 30, 2001, the following:

25

| 26 ITEM | FI SCAL YEARS | |
|------------------------------|-----------------------|-----------------------|
| 27 <u>NO.</u> | 1999-2000 | 2000-2001 |
| 28 (01) MISC FEDERAL GRANTS | \$ 100,000,000 | \$ 100,000,000 |
| 29 (02) MISC JTPA PROGRAMS | <u>100,000,000</u> | <u>100,000,000</u> |
| 30 TOTAL AMOUNT APPROPRIATED | <u>\$ 200,000,000</u> | <u>\$ 200,000,000</u> |

31

32 SECTION 7. APPROPRIATION - PURCHASE OF VEHICLES. There is hereby
 33 appropriated, to the Department of Finance and Administration - Disbursing
 34 Officer, to be payable from the Motor Vehicle Acquisition Revolving Fund, for
 35 purchase of vehicles as provided by Arkansas Code 22-8-201 of the Department
 36 of Finance and Administration - Disbursing Officer for the biennial period

1 ending June 30, 2001, the following:

2

| ITEM | FISCAL YEARS | |
|---------------------------|----------------------|----------------------|
| NO. | 1999-2000 | 2000-2001 |
| (01) PURCHASE OF VEHICLES | \$ <u>15,000,000</u> | \$ <u>15,000,000</u> |

6

7 SECTION 8. APPROPRIATION - MERIT ADJUSTMENT FUND. There is hereby

8 appropriated, to the Department of Finance and Administration - Disbursing

9 Officer, to be payable from the Merit Adjustment Fund, for providing various

10 state agencies and institutions of higher education with supplemental personal

11 services for the biennial period ending June 30, 2001, the following:

12

| ITEM | FISCAL YEARS | |
|------------------------|---------------------|---------------------|
| NO. | 1999-2000 | 2000-2001 |
| (01) PERSONAL SERVICES | \$ <u>4,000,000</u> | \$ <u>4,000,000</u> |

16

17 SECTION 9. APPROPRIATION - MISCELLANEOUS CASH TRANSFERS. There is hereby

18 appropriated, to the Department of Finance and Administration - Disbursing

19 Officer, to be payable from the cash funds as defined by Arkansas Code 19-4-

20 801, for disbursement of cash funds collected on behalf of state agencies for

21 transfer to those agencies as necessary for the biennial period ending June

22 30, 2001, the following:

23

| ITEM | FISCAL YEARS | |
|-----------------------|---------------------|---------------------|
| NO. | 1999-2000 | 2000-2001 |
| (01) VARIOUS EXPENSES | \$ <u>5,000,000</u> | \$ <u>5,000,000</u> |

27

28 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

30 CLASSIFICATION AND USE OF APPROPRIATIONS. The appropriations authorized in

31 Section 1 hereof which are transferred to the various agencies, as authorized

32 in Section 3 11 hereof, are to be used for the maintenance and general

33 operation of the benefiting agency and shall only be expended under the

34 provisions cited in Arkansas Code 19-4-522, the same being the General

35 Accounting and Budgetary Procedures Law of Arkansas. Provided, however, no

36 appropriation authorized herein shall be expended for Conference and Travel

1 Expenses or Professional Fees and Services.

2

3 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
5 PROVISION. The Department of Finance and Administration shall, upon transfer
6 to the agencies or institutions fund or fund account of the proceeds derived
7 from disposal of property by the Marketing and Redistribution division for the
8 benefit of various agencies, transfer appropriation, as provided in Section 1
9 hereof in such amount as funds are deposited into the Property Sales Holding
10 Fund and transferred therefrom for the benefit of such agencies.

11

12 SECTION 12. SPECIAL LANGUAGE. APPROPRIATION TRANSFER PROCEDURES. In the
13 event that sufficient appropriation has not been provided for the payment of
14 Career Recognition Payments for any state agency or institution due to the
15 enactment of this Act or any other act approved by the Eighty-Second General
16 Assembly which raises the compensation level of state employees, the agency or
17 institution may request a transfer from the appropriation provided in Section
18 4 2 herein from the Chief Fiscal Officer of the State. Such request shall
19 clearly state the amount required, the fund or fund account from which the
20 employees are currently being paid, and such other information as may be
21 required by the Chief Fiscal Officer of the State that he deems necessary to
22 make a decision regarding the request. Upon the approval of the Chief Fiscal
23 Officer of the State or upon processing the request for elected Constitutional
24 Officers and their employees by the Chief Fiscal Officer of the State, the
25 State Auditor shall be notified as to the amount and the purposes for which
26 said appropriation is to be made. The appropriation shall then be added to
27 the proper account on the books of the Department of Finance and
28 Administration and the State Auditor payable from the fund or fund account
29 from which the employees of the agency or institution are authorized to be
30 paid by law. Such appropriation transfer shall be limited to Regular Salaries
31 or Personal Services Matching or both.

32

33 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Funding
35 for the appropriation transfers authorized by Section 4 2 of this Act, or for
36 any part thereof, for those state agencies which are supported in whole or in

1 part from general revenues, shall, if required, be provided by a transfer from
 2 the Merit Adjustment Fund to the proper fund or fund account and in such
 3 amounts as determined by the Chief Fiscal Officer of the State. The State
 4 Agencies shall, in addition to the funds provided in this Act for Annual
 5 Career Service Recognition Payments from the Merit Adjustment Fund, make
 6 available any funding generated from agency salary savings for such purposes
 7 from the funds or fund accounts as provided by law.

8
 9 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 11 PROCEDURES - MATCHING. In the event that there is not sufficient
 12 appropriation, from funds deposited in the State Treasury, provided for by the
 13 General Assembly for personal services matching for any state agency for the
 14 biennial period ending June 30, ~~1999~~ 2001, said agency shall request a
 15 transfer from appropriation provided by item (02) of Section ~~7~~ 3 herein, from
 16 the Chief Fiscal Officer of the State, stating clearly the amounts required
 17 for each item. Upon approval of the Chief Fiscal Officer of the State, the
 18 State Auditor shall be notified as to the amount and the purposes for which
 19 said appropriation is to be made and shall be established upon the books of
 20 the Department of Finance and Administration and the State Auditor. Provided
 21 further, if desired, that said appropriation shall be supplemental to those
 22 regularly appropriated for such purposes by the General Assembly for that
 23 agency. Provided, however, that in the event the amount of transfer requested
 24 exceeds One Thousand Dollars (\$1,000), the Chief Fiscal Officer of the State
 25 shall seek prior review by the Arkansas Legislative Council or Joint Budget
 26 Committee before said transfer shall be made.

27
 28 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 30 OF APPROPRIATION - ELECTED OFFICERS. If it is determined by any office of an
 31 elected Constitutional Officer, including the Bureau of Legislative Research,
 32 Division of Legislative Audit or the Judicial Department, that there is not
 33 sufficient appropriation for Regular Salaries to pay the maximum salaries
 34 which have been set by the General Assembly for the employees of such Office,
 35 the Director of the Office shall notify the Chief Fiscal Officer of the fact
 36 and the amount of appropriation which has been determined to be required.

1 Upon receipt of such notification, and after seeking prior review by the
2 Legislative Council or Joint Budget Committee, the Chief Fiscal Officer of the
3 State shall transfer on his books the amount of appropriation required from
4 the appropriation provided by Item (03) of Section 7 3 hereof to the Fund or
5 Fund Account from which the Office's employees are paid and shall notify the
6 State Auditor to process such transfer upon his books of record.

7

8 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
10 PROCEDURES - REGULAR SALARIES. In the event that there is not sufficient
11 appropriation provided for by the General Assembly for payment of Regular
12 Salaries for any state agency for the biennial period ending June 30, ~~1999~~
13 2001, said agency may request a transfer from appropriations provided by item
14 (06) of Section 7 3 herein, from the Chief Fiscal Officer of the State,
15 stating clearly the amount required. Upon approval of the Chief Fiscal
16 Officer of the State, and after seeking prior review by the Arkansas
17 Legislative Council or Joint Budget Committee, the State Auditor shall be
18 notified as to the amount and the purposes for which said appropriation is to
19 be made. The appropriation shall then be established upon the books of the
20 Department of Finance and Administration and the State Auditor. Provided
21 further, that if desired, said appropriation shall be supplemental to those
22 regularly appropriated for such purposes by the General Assembly for the
23 agency.

24

25 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
27 RESTRICTIONS. Nothing in this Act is to be construed as an authority to
28 transfer a like amount of current general revenues to fund appropriations
29 provided for in Section 7 3 of this Act.

30

31 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
33 RESTRICTIONS. TRANSFER PROVISIONS. The Department of Finance and
34 Administration shall transfer appropriation as provided in Item (05) of
35 Section 7 3 hereof in such amounts as funds are deposited into the State
36 Treasury or financial institutions for proceeds received from insurance

1 policies for casualty losses, overpayment of obligations, overpayment of
 2 salaries, over-allocation of federal assistance, maturity or redemption of
 3 investments, and subrogation payments received for workers' compensation
 4 claims paid, for the benefit of various state agencies. Provided, however,
 5 that the Chief Fiscal Officer of the State is hereby authorized to promulgate
 6 such rules, regulations, procedures, and guidelines as he may deem necessary
 7 and proper in order to carry out the provisions of this Act.

8
 9 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 11 PROCEDURES - OVERTIME. In the event that there is not sufficient appropriation
 12 provided for by the General Assembly for overtime compensation pursuant to
 13 Arkansas Code 19-4-1612 for any state agency for the biennial period ending
 14 June 30, ~~1999~~ 2001, said agency shall request a transfer from appropriations
 15 provided by item (01) of Section ~~7 3~~ 3 herein, from the Chief Fiscal Officer of
 16 the State, stating clearly the amount required. Upon approval of the Chief
 17 Fiscal Officer of the State, and after seeking prior review by the Arkansas
 18 Legislative Council or Joint Budget Committee, the State Auditor shall be
 19 notified as to the amount and the purposes for which said appropriation is to
 20 be made. The appropriation shall be established upon the books of the
 21 Department of Finance and Administration and the State Auditor. Provided,
 22 further, that if desired, said appropriation shall be supplemental to those
 23 regularly appropriated for such purposes by the General Assembly for that
 24 agency.

25
 26 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 28 CLASSIFICATION AND USE OF APPROPRIATIONS. The appropriations authorized in
 29 Item (05) of Section ~~7 3~~ 3 hereof which are transferred to the various agencies
 30 as authorized by Section ~~12 18~~ 18 hereof are to be used for the same purposes and
 31 shall be expended under the same provisions as cited in Arkansas Code 19-4-501
 32 through 19-4-525, the same being the General Accounting and Budgetary
 33 Procedures Law of Arkansas, or its successor.

34
 35 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISBURSING

1 PROCEDURES. The Employment Security Department shall certify to the respective
 2 state agency at the end of each calendar quarter those unemployment
 3 compensation benefit payments made to former state employees who claimed and
 4 qualified for such benefits under the provisions of the Arkansas Employment
 5 Security Law. Upon satisfaction by the Chief Fiscal Officer of the State that
 6 the payments to individuals who had worked for the State of Arkansas were made
 7 in accordance with the provisions of the Arkansas Employment Security Law, he
 8 shall disburse funds from the appropriation in Section ~~15~~ 4 of this Act to
 9 reimburse the Employment Security Department for benefits paid in the previous
 10 calendar quarter.

11

12 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 14 PROCEDURES. In the event that the appropriation is not provided by the General
 15 Assembly for Cash Fund expenditures for any state agency, pursuant to Arkansas
 16 Code 19-4-801 et. seq., said agency shall request a transfer of appropriation
 17 from the Chief Fiscal Officer of the State, stating clearly the amount
 18 required. Upon approval of the Chief Fiscal Officer of the State, and after
 19 seeking prior review by the Arkansas Legislative Council or Joint Budget
 20 Committee, said cash fund appropriations shall be established upon the books
 21 of the Department of Finance and Administration, provided further, that upon
 22 request of the state agency and with the approval of the Chief Fiscal Officer
 23 of the State, the requested appropriations may be established upon the books
 24 of the Department of Finance and Administration in compliance with the
 25 applicable classifications of appropriations as enumerated in Arkansas Code
 26 19-4-521 through 19-4-525.

27

28 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The
 30 appropriations provided in Section ~~17~~ 5 herein shall not be used to establish
 31 spending authority for new or unanticipated Federal Funds or Programs as
 32 defined by the provisions of the Miscellaneous Federal Grant Programs Act,
 33 Arkansas Code 19-7-501 et. seq., and the provisions of the General Accounting
 34 and Budgetary Procedures Act, Arkansas Code 19-4-101 et. seq., or its
 35 successor. Funds subject to the above mentioned acts shall be deposited in
 36 the State Treasury.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARIES. No provisions as provided in Section ~~17~~ 5 herein shall be interpreted as the authority to create or establish new positions in addition to the positions established in the agency's Biennial Appropriation Act. In addition, salaries paid from appropriations transferred herein shall be subject to the provision of the Regular Salaries Procedures and Restrictions Act.

SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING. The Chief Fiscal Officer of the State shall file with the Arkansas Legislative Council or Joint Budget Committee a report summarizing all appropriations transferred and all additional positions authorized under the provisions of Section ~~21~~ 6 of this Act.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROCEDURES. In the event that the Chief Fiscal Officer of the State determines that the General Assembly has not provided sufficient appropriation for the payment of Personal Services for a state agency, office, board, commission, institution or institution of higher education due to the enactment of this act or any other Act approved by the ~~Eighty-first~~ Eighty-second General Assembly which raises the compensation level or required benefit matching costs of state employees, the agency, office, board, commission, institution of higher education or other institution may request a transfer from the appropriation provided herein from the Chief Fiscal Officer of the State. Such request shall clearly state the amount required, the fund or fund account from which the employees are currently being paid, and such other information as may be required by the Chief Fiscal Officer of the State that he deems necessary to make a decision regarding the request. Upon the approval of the Chief Fiscal Officer of the State or upon processing the request for elected Constitutional Officers and their employees by the Chief Fiscal Officer of the State, the State Auditor shall be notified as to the amount and the purposes for which said appropriation is to be made. The appropriation shall then be added to the proper account on the books of the

1 Department of Finance and Administration and the State Auditor payable from
 2 the fund or fund account from which the employees of the state agency, office,
 3 board, commission, institution of higher education or other institution are
 4 authorized to be paid by law. Such appropriation transfers shall be limited
 5 to Regular Salaries or Personal Services Matching or both.

6
 7 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
 9 TRANSFER. Funding of compensation increases provided by the ~~Eighty-first~~
 10 Eighty-second General Assembly in the fiscal year ending June 30, ~~1999~~ 2001,
 11 and funding for the appropriation transfers authorized by Section ~~25~~ 26 of
 12 this Act for those state agencies, offices, boards, commissions, institutions
 13 and state institutions of higher education which are supported in whole or in
 14 part from general revenues shall, if required, be provided for by a transfer
 15 from the Merit Adjustment Fund to the proper fund or fund account and in such
 16 amounts as may be determined by the Chief Fiscal Officer of the State. The
 17 state agencies, offices, boards, commissions, institutions and state
 18 institutions of higher education shall, in addition to the funds provided in
 19 this section for Personal Services from the Merit Adjustment Fund, make
 20 available any funding generated from its salary savings for such purposes as
 21 provided for herein, from the funds or fund accounts as prescribed by law.

22
 23 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Funds
 25 appropriated in Section ~~24~~ 8 herein shall be used to provide additional funds
 26 as may be required for a cost of living increase for state employees and
 27 institutions of higher education of up to 3.2% during the ~~1998-99~~ 2000-01
 28 fiscal year.

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

1 Finance and Administration, as authorized by law, shall be strictly complied
 2 with in disbursement of said funds.

3
 4 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General Assembly
 5 that any funds disbursed under the authority of the appropriations contained
 6 in this act shall be in compliance with the stated reasons for which this act
 7 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 8 and Legislative Recommendations contained in the budget manuals prepared by
 9 the Department of Finance and Administration, letters, or summarized oral
 10 testimony in the official minutes of the Arkansas Legislative Council or Joint
 11 Budget Committee which relate to its passage and adoption.

12
 13 SECTION 31. CODE. All provisions of this Act of a general and permanent
 14 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
 15 Code Revision Commission shall incorporate the same in the Code.

16
 17 SECTION 32. SEVERABILITY. If any provision of this act or the application
 18 thereof to any person or circumstance is held invalid, such invalidity shall
 19 not affect other provisions or applications of the act which can be given
 20 effect without the invalid provision or application, and to this end the
 21 provisions of this act are declared to be severable.

22
 23 SECTION 33. GENERAL REPEALER. All laws and parts of laws in conflict with
 24 this act are hereby repealed.

25
 26 SECTION 34. EMERGENCY CLAUSE. It is hereby found and determined by the
 27 Eighty-second General Assembly, that the Constitution of the State of Arkansas
 28 prohibits the appropriation of funds for more than a two (2) year period; that
 29 the effectiveness of this Act on July 1, 1999 is essential to the operation of
 30 the agency for which the appropriations in this Act are provided, and that in
 31 the event of an extension of the Regular Session, the delay in the effective
 32 date of this Act beyond July 1, 1999 could work irreparable harm upon the
 33 proper administration and provision of essential governmental programs.
 34 Therefore, an emergency is hereby declared to exist and this Act being
 35 necessary for the immediate preservation of the public peace, health and
 36 safety shall be in full force and effect from and after July 1, 1999.

1

2

APPROVED: 2/24/1999