

**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

*As Engrossed: H2/9/01*

# A Bill

**Act 333 of 2001**  
HOUSE BILL 1519

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, 2003; AND FOR  
16 OTHER PURPOSES.  
17

## **Subtitle**

18  
19  
20 AN ACT FOR THE DEPARTMENT OF FINANCE  
21 AND ADMINISTRATION - DISBURSING OFFICER  
22 - VARIOUS AGENCY TRANSFERS APPROPRIATION  
23 FOR THE 2001-2003 BIENNIUM.  
24

25  
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
27

28 SECTION 1. APPROPRIATION - MARKETING AND REDISTRIBUTION. There is hereby  
29 appropriated, to the Department of Finance and Administration - Disbursing  
30 Officer, to be payable from the Property Sales Holding Fund, for state  
31 agencies for expending or disbursing the net proceeds from property sold  
32 through the Marketing and Redistribution Division of the Department of Finance  
33 and Administration - Disbursing Officer for the biennial period ending June  
34 30, 2003, the following:  
35

36 ITEM

FISCAL YEARS

NO.	2001-2002	2002-2003
(01) MARKETING & REDISTRIBUTION PROGRAM	\$ 4,500,000	\$ 4,500,000

3

4 SECTION 2. APPROPRIATION - CAREER RECOGNITION PAYMENTS. There is hereby  
 5 appropriated, to the Department of Finance and Administration - Disbursing  
 6 Officer, to be payable from the Merit Adjustment Fund, for providing annual  
 7 career service recognition payments to classified employees of state agencies  
 8 for the biennial period ending June 30, 2003, the following:

9

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) CAREER RECOGNITION PAYMENTS	\$ 6,404,465	\$ 6,404,465

13

14 SECTION 3. APPROPRIATION - MISCELLANEOUS TRANSFER APPROPRIATIONS. There is  
 15 hereby appropriated, to the Department of Finance and Administration -  
 16 Disbursing Officer, to be payable from the Miscellaneous State Treasury Funds,  
 17 for providing constitutional officers and various state agencies with  
 18 supplemental appropriations by the Department of Finance and Administration -  
 19 Disbursing Officer for the biennial period ending June 30, 2003, the  
 20 following:

21

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) OVERTIME	\$ 5,000,000	\$ 5,000,000
(02) PERSONAL SERVICES MATCHING	4,000,000	4,000,000
(03) REGULAR SALARIES-ELECTED OFFICERS	1,500,000	1,500,000
(04) PERSONAL SERVICES-PAYPLAN 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>

31

32 SECTION 4. APPROPRIATION - UNEMPLOYMENT COMPENSATION. There is hereby  
 33 appropriated, to the Department of Finance and Administration - Disbursing  
 34 Officer, to be payable from the Unemployment Compensation Trust Fund, for  
 35 paying unemployment compensation claims in accordance with the Employment  
 36 Security Amendments for the biennial period ending June 30, 2003, the

1 fol lowi ng:

2

3 I TEM	FI SCAL YEARS	
	2001-2002	2002-2003
4 <u>NO.</u>		
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, 2003, the following:

12

13 I TEM	FI SCAL YEARS	
	2001-2002	2002-2003
14 <u>NO.</u>		
15 (01) CASH APPROPRIATION-VARIOUS AGENCIES	\$ 50,000,000	\$ 50,000,000
16 (02) PAYPLAN ADJUSTMENT-VARIOUS AGENCIES	<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, 2003, the following:

25

26 I TEM	FI SCAL YEARS	
	2001-2002	2002-2003
27 <u>NO.</u>		
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 by the Department  
 36 of Finance and Administration- Disbursing Officer for the biennial period

1 ending June 30, 2003, the following:

2

3	ITEM	FISCAL YEARS	
4	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
5	(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, 2003, the following:

12

13	ITEM	FISCAL YEARS	
14	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
15	(01) PERSONAL SERVICES		
16	MERIT ADJUSTMENT FUND	<u>\$ 4,000,000</u>	<u>\$ 4,000,000</u>

17

18 SECTION 9. APPROPRIATIONS - MISCELLANEOUS CASH TRANSFERS. There is hereby  
 19 appropriated, to the Department of Finance and Administration - Disbursing  
 20 Officer, to be payable from cash funds as defined by Arkansas Code 19-4-801 of  
 21 the Department of Finance and Administration - Disbursing Officer, for  
 22 disbursement of cash funds collected on behalf of state agencies for transfer  
 23 to those agencies as necessary for the biennial period ending June 30, 2003,  
 24 the following:

25

26	ITEM	FISCAL YEARS	
27	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
28	(01) VARIOUS EXPENSES	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>

29

30 SECTION 10. APPROPRIATION - MUNICIPAL FIRE AND POLICE RELIEF AND PENSION  
 31 FUNDS. There is hereby appropriated, to the Department of Finance and  
 32 Administration - Disbursing Officer, to be payable from the Arkansas Fire and  
 33 Police Pension Guarantee Fund, for protection for members of underfunded  
 34 municipal fire and police pension funds for the biennial period ending June  
 35 30, 2003, the following:

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ITEM	FISCAL YEARS	
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NO.	2001-2002	2002-2003
(01) GRANTS/AID S – MUNICIPAL FIRE AND POLICE RELIEF PENSION	\$ 3,000,000	\$ 3,000,000

SECTION 11. APPROPRIATION - STATE EMPLOYEES BLANKET BOND PROGRAM. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the Miscellaneous Revolving Fund, for payment of blanket surety bond premiums for the State of Arkansas for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) SURETY BOND PREMIUMS STATE EMPLOYEES	\$ 250,000	\$ 250,000

SECTION 12. APPROPRIATION - COUNTY EMPLOYEES BLANKET BOND PROGRAM. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the County Aid Fund, for payment of blanket surety bond premiums for those counties participating in the County Public Employee Blanket Bond Program for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) SURETY BOND PREMIUMS COUNTY EMPLOYEES	\$ 250,000	\$ 250,000

SECTION 13. APPROPRIATION - MUNICIPAL EMPLOYEES BLANKET BOND PROGRAM. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the Municipal Aid Fund, for payment of blanket surety bond premiums for those municipalities participating in the Municipal Public Employees Blanket Bond Program for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003

1	(01) SURETY BOND PREMIUMS		
2	MUNICIPAL EMPLOYEES	\$ <u>250,000</u>	\$ <u>250,000</u>

3

4 SECTION 14. APPROPRIATION - PUBLIC SCHOOL EMPLOYEES BLANKET BOND PROGRAM.

5 There is hereby appropriated, to the Department of Finance and Administration

6 - Disbursing Officer, to be payable from the Public School Fund, for payment

7 of blanket surety bond premiums for those school districts participating in

8 the Public School Employees Program for the biennial period ending June 30,

9 2003, the following:

10			
11	ITEM	FISCAL YEARS	
12	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
13	(01) SURETY BOND PREMIUMS		
14	PUBLIC SCHOOL EMPLOYEES	\$ <u>250,000</u>	\$ <u>250,000</u>

15

16 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

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

18 CLASSIFICATION AND USE OF APPROPRIATIONS. The appropriations authorized in

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

20 in Section ~~44~~ 16 hereof, are to be used for the maintenance and general

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

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

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

24 appropriation authorized herein shall be expended for Conference and Travel

25 Expenses or Professional Fees and Services. The provisions of this section

26 shall be in effect only from July 1, 2001 through June 30, 2003.

27

28 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

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

30 PROVISION. The Department of Finance and Administration shall, upon transfer

31 to the agencies or institutions fund or fund account of the proceeds derived

32 from disposal of property by the Marketing and Redistribution division for the

33 benefit of various agencies, transfer appropriation, as provided in Section 1

34 hereof in such amount as funds are deposited into the Property Sales Holding

35 Fund and transferred therefrom for the benefit of such agencies. The

36 provisions of this section shall be in effect only from July 1, 2001 through

1 June 30, 2003.

2

3 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
5 APPROPRIATION TRANSFER PROCEDURES. In the event that sufficient appropriation  
6 has not been provided for the payment of Career Recognition Payments for any  
7 state agency or institution due to the enactment of this Act or any other act  
8 approved by the Eighty-~~Second~~ Third General Assembly which raises the  
9 compensation level of state employees, the agency or institution may request a  
10 transfer from the appropriation provided in Section 2 herein from the Chief  
11 Fiscal Officer of the State. Such request shall clearly state the amount  
12 required, the fund or fund account from which the employees are currently  
13 being paid, and such other information as may be required by the Chief Fiscal  
14 Officer of the State that he deems necessary to make a decision regarding the  
15 request. Upon the approval of the Chief Fiscal Officer of the State or upon  
16 processing the request for elected Constitutional Officers and their employees  
17 by the Chief Fiscal Officer of the State, the State Auditor shall be notified  
18 as to the amount and the purposes for which said appropriation is to be made.  
19 The appropriation shall then be added to the proper account on the books of  
20 the Department of Finance and Administration and the State Auditor payable  
21 from the fund or fund account from which the employees of the agency or  
22 institution are authorized to be paid by law. Such appropriation transfer  
23 shall be limited to Regular Salaries or Personal Services Matching or both.  
24 The provisions of this section shall be in effect only from July 1, 2001  
25 through June 30, 2003.

26

27 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Funding  
29 for the appropriation transfers authorized by Section 2 of this Act, or for  
30 any part thereof, for those state agencies which are supported in whole or in  
31 part from general revenues, shall, if required, be provided by a transfer from  
32 the Merit Adjustment Fund to the proper fund or fund account and in such  
33 amounts as determined by the Chief Fiscal Officer of the State. The State  
34 Agencies shall, in addition to the funds provided in this Act for Annual  
35 Career Service Recognition Payments from the Merit Adjustment Fund, make  
36 available any funding generated from agency salary savings for such purposes

1 from the funds or fund accounts as provided by law. The provisions of this  
2 section shall be in effect only from July 1, 2001 through June 30, 2003.

3  
4 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
6 PROCEDURES - MATCHING. In the event that there is not sufficient  
7 appropriation, from funds deposited in the State Treasury, provided for by the  
8 General Assembly for personal services matching for any state agency for the  
9 biennial period ending June 30, ~~2004~~ 2003, said agency shall request a  
10 transfer from appropriation provided by item (02) of Section 3 herein, from  
11 the Chief Fiscal Officer of the State, stating clearly the amounts required  
12 for each item. Upon approval of the Chief Fiscal Officer of the State, the  
13 State Auditor shall be notified as to the amount and the purposes for which  
14 said appropriation is to be made and shall be established upon the books of  
15 the Department of Finance and Administration and the State Auditor. Provided  
16 further, if desired, that said appropriation shall be supplemental to those  
17 regularly appropriated for such purposes by the General Assembly for that  
18 agency. Provided, however, that in the event the amount of transfer requested  
19 exceeds One Thousand Dollars (\$1,000), the Chief Fiscal Officer of the State  
20 shall seek prior review by the Arkansas Legislative Council or Joint Budget  
21 Committee before said transfer shall be made. The provisions of this section  
22 shall be in effect only from July 1, 2001 through June 30, 2003.

23  
24 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
26 OF APPROPRIATION - ELECTED OFFICERS. If it is determined by any office of an  
27 elected Constitutional Officer, including the Bureau of Legislative Research,  
28 Division of Legislative Audit or the Judicial Department, that there is not  
29 sufficient appropriation for Regular Salaries to pay the maximum salaries  
30 which have been set by the General Assembly for the employees of such Office,  
31 the Director of the Office shall notify the Chief Fiscal Officer of the fact  
32 and the amount of appropriation which has been determined to be required.  
33 Upon receipt of such notification, and after seeking prior review by the  
34 Legislative Council or Joint Budget Committee, the Chief Fiscal Officer of the  
35 State shall transfer on his books the amount of appropriation required from  
36 the appropriation provided by Item (03) of Section 3 hereof to the Fund or



1 Fund Account from which the Office's employees are paid and shall notify the  
2 State Auditor to process such transfer upon his books of record. The  
3 provisions of this section shall be in effect only from July 1, 2001 through  
4 June 30, 2003.

5  
6 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
8 PROCEDURES - REGULAR SALARIES. In the event that there is not sufficient  
9 appropriation provided for by the General Assembly for payment of Regular  
10 Salaries for any state agency for the biennial period ending June 30, ~~2001~~  
11 2003, said agency may request a transfer from appropriations provided by item  
12 (06) of Section 3 herein, from the Chief Fiscal Officer of the State, stating  
13 clearly the amount required. Upon approval of the Chief Fiscal Officer of the  
14 State, and after seeking prior review by the Arkansas Legislative Council or  
15 Joint Budget Committee, the State Auditor shall be notified as to the amount  
16 and the purposes for which said appropriation is to be made. The  
17 appropriation shall then be established upon the books of the Department of  
18 Finance and Administration and the State Auditor. Provided further, that if  
19 desired, said appropriation shall be supplemental to those regularly  
20 appropriated for such purposes by the General Assembly for the agency.  
21 The provisions of this section shall be in effect only from July 1, 2001  
22 through June 30, 2003.

23  
24 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
26 RESTRICTIONS. Nothing in this Act is to be construed as an authority to  
27 transfer a like amount of current general revenues to fund appropriations  
28 provided for in Section 3 of this Act. The provisions of this section shall be  
29 in effect only from July 1, 2001 through June 30, 2003.

30  
31 SECTION 23. 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 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. The provisions of  
8 this section shall be in effect only from July 1, 2001 through June 30, 2003.  
9

10 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
12 PROCEDURES - OVERTIME. In the event that there is not sufficient appropriation  
13 provided for by the General Assembly for overtime compensation pursuant to  
14 Arkansas Code 19-4-1612 for any state agency for the biennial period ending  
15 June 30, ~~2001~~ 2003, said agency shall request a transfer from appropriations  
16 provided by item (01) of Section 3 herein, from the Chief Fiscal Officer of  
17 the State, stating clearly the amount required. Upon approval of the Chief  
18 Fiscal Officer of the State, and after seeking prior review by the Arkansas  
19 Legislative Council or Joint Budget Committee, the State Auditor shall be  
20 notified as to the amount and the purposes for which said appropriation is to  
21 be made. The appropriation shall be established upon the books of the  
22 Department of Finance and Administration and the State Auditor. Provided,  
23 further, that if desired, said appropriation shall be supplemental to those  
24 regularly appropriated for such purposes by the General Assembly for that  
25 agency. The provisions of this section shall be in effect only from July 1,  
26 2001 through June 30, 2003.  
27

28 SECTION 25. 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 Item (05) of Section 3 hereof which are transferred to the various agencies as  
32 authorized by Section ~~48~~ 23 hereof are to be used for the same purposes and  
33 shall be expended under the same provisions as cited in Arkansas Code 19-4-501  
34 through 19-4-525, the same being the General Accounting and Budgetary  
35 Procedures Law of Arkansas, or its successor. The provisions of this section  
36 shall be in effect only from July 1, 2001 through June 30, 2003.

1  
2 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISBURSING  
4 PROCEDURES. The Employment Security Department shall certify to the respective  
5 state agency at the end of each calendar quarter those unemployment  
6 compensation benefit payments made to former state employees who claimed and  
7 qualified for such benefits under the provisions of the Arkansas Employment  
8 Security Law. Upon satisfaction by the Chief Fiscal Officer of the State that  
9 the payments to individuals who had worked for the State of Arkansas were made  
10 in accordance with the provisions of the Arkansas Employment Security Law, he  
11 shall disburse funds from the appropriation in Section 4 of this Act to  
12 reimburse the Employment Security Department for benefits paid in the previous  
13 calendar quarter. The provisions of this section shall be in effect only from  
14 July 1, 2001 through June 30, 2003.  
15

16 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
18 PROCEDURES. In the event that the appropriation is not provided by the General  
19 Assembly for Cash Fund expenditures for any state agency, pursuant to Arkansas  
20 Code 19-4-801 et. seq., said agency shall request a transfer of appropriation  
21 from the Chief Fiscal Officer of the State, stating clearly the amount  
22 required. Upon approval of the Chief Fiscal Officer of the State, and after  
23 seeking prior review by the Arkansas Legislative Council or Joint Budget  
24 Committee, said cash fund appropriations shall be established upon the books  
25 of the Department of Finance and Administration, provided further, that upon  
26 request of the state agency and with the approval of the Chief Fiscal Officer  
27 of the State, the requested appropriations may be established upon the books  
28 of the Department of Finance and Administration in compliance with the  
29 applicable classifications of appropriations as enumerated in Arkansas Code  
30 19-4-521 through 19-4-525. The provisions of this section shall be in effect  
31 only from July 1, 2001 through June 30, 2003.  
32

33 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The  
35 appropriations provided in Section 5 herein shall not be used to establish  
36 spending authority for new or unanticipated Federal Funds or Programs as

1 defined by the provisions of the Miscellaneous Federal Grant Programs Act,  
2 Arkansas Code 19-7-501 et. seq., and the provisions of the General Accounting  
3 and Budgetary Procedures Act, Arkansas Code 19-4-101 et. seq., or its  
4 successor. Funds subject to the above mentioned acts shall be deposited in  
5 the State Treasury. The provisions of this section shall be in effect only  
6 from July 1, 2001 through June 30, 2003.

7  
8 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARIES.  
10 No provisions as provided in Section 5 herein shall be interpreted as the  
11 authority to create or establish new positions in addition to the positions  
12 established in the agency's Biennial Appropriation Act. In addition, salaries  
13 paid from appropriations transferred herein shall be subject to the provision  
14 of the Regular Salaries Procedures and Restrictions Act. The provisions of  
15 this section shall be in effect only from July 1, 2001 through June 30, 2003.

16  
17 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING.  
19 The Chief Fiscal Officer of the State shall file with the Arkansas Legislative  
20 Council or Joint Budget Committee a report summarizing all appropriations  
21 transferred and all additional positions authorized under the provisions of  
22 Section 6 of this Act. The provisions of this section shall be in effect only  
23 from July 1, 2001 through June 30, 2003.

24  
25 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
27 PROCEDURES. In the event that the Chief Fiscal Officer of the State  
28 determines that the General Assembly has not provided sufficient appropriation  
29 for the payment of Personal Services for a state agency, office, board,  
30 commission, institution or institution of higher education due to the  
31 enactment of this act or any other Act approved by the ~~Eighty-second~~ Thirrd  
32 General Assembly which raises the compensation level or required benefit  
33 matching costs of state employees, the agency, office, board, commission,  
34 institution of higher education or other institution may request a transfer  
35 from the appropriation provided herein from the Chief Fiscal Officer of the  
36 State. Such request shall clearly state the amount required, the fund or fund

1 account from which the employees are currently being paid, and such other  
2 information as may be required by the Chief Fiscal Officer of the State that  
3 he deems necessary to make a decision regarding the request. Upon the  
4 approval of the Chief Fiscal Officer of the State or upon processing the  
5 request for elected Constitutional Officers and their employees by the Chief  
6 Fiscal Officer of the State, the State Auditor shall be notified as to the  
7 amount and the purposes for which said appropriation is to be made. The  
8 appropriation shall then be added to the proper account on the books of the  
9 Department of Finance and Administration and the State Auditor payable from  
10 the fund or fund account from which the employees of the state agency, office,  
11 board, commission, institution of higher education or other institution are  
12 authorized to be paid by law. Such appropriation transfers shall be limited  
13 to Regular Salaries or Personal Services Matching or both. The provisions of  
14 this section shall be in effect only from July 1, 2001 through June 30, 2003.  
15

16 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
18 TRANSFER. Funding of compensation increases provided by the Eighty-~~second~~  
19 third General Assembly in the fiscal year ending June 30, ~~2001~~ 2003, and  
20 funding for the appropriation transfers authorized by Section ~~26~~ 31 of this  
21 Act for those state agencies, offices, boards, commissions, institutions and  
22 state institutions of higher education which are supported in whole or in part  
23 from general revenues shall, if required, be provided for by a transfer from  
24 the Merit Adjustment Fund to the proper fund or fund account and in such  
25 amounts as may be determined by the Chief Fiscal Officer of the State. The  
26 state agencies, offices, boards, commissions, institutions and state  
27 institutions of higher education shall, in addition to the funds provided in  
28 this section for Personal Services from the Merit Adjustment Fund, make  
29 available any funding generated from its salary savings for such purposes as  
30 provided for herein, from the funds or fund accounts as prescribed by law. The  
31 provisions of this section shall be in effect only from July 1, 2001 through  
32 June 30, 2003.  
33

34 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COST OF  
36 LIVING INCREASE. Funds appropriated in Section 8 herein shall be used to

1 provide additional funds as may be required for a cost of living increase for  
2 state employees and institutions of higher education of up to 3.2% during the  
3 ~~2000-01~~ 2002-03 fiscal year. The provisions of this section shall be in  
4 effect only from July 1, 2001 through June 30, 2003.

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6 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DFA/BONDS-  
8 BILLING PROCEDURES. The State Risk Manager of the Department of Insurance  
9 shall submit to the Department of Finance and Administration a separate  
10 billing certification of the costs of blanket bond surety premiums for the  
11 State of Arkansas and for the Counties, Municipalities, and Public School  
12 Districts participating in the blanket surety bond program for public  
13 employees. Upon receipt of such billing certification, the disbursing officer  
14 of the Department of Finance and Administration shall prepare a ~~voucher~~ fund  
15 transfer to the Arkansas Fidelity Bond Trust Fund for paying the surety bond  
16 premium and attaching thereto a copy of the billing certification received  
17 from the State Risk Manager. The Department of Finance and Administration  
18 shall forward a copy of the ~~voucher~~ fund transfer and supporting documentation  
19 for payment of County and Municipal Public Employee Blanket Bond Surety  
20 Premiums to the State Treasurer. The State Treasurer shall withhold from the  
21 General Revenue Turnback of the County Aid Fund and the Municipal Aid Fund the  
22 respective amount of surety bond premiums for each political jurisdiction  
23 participating in the County or Municipal Public Employee Blanket Bond Program.  
24 The Department of Finance and Administration shall forward a copy of the  
25 ~~voucher~~ fund transfer and supporting documentation for payment of Public  
26 School Employee Blanket Bond Surety Premiums to the Department of Education.  
27 The Department of Education shall withhold from the Public School Fund monies  
28 accruing to the benefit of each school district participating in the Public  
29 School Employees Blanket Bond Program the respective costs for each school  
30 districts' bond surety premium. All state agencies, boards, commissions and  
31 institutions of higher education shall reimburse the Miscellaneous Revolving  
32 Fund, in such amounts as may be determined by the Chief Fiscal Officer of the  
33 State, for payments of blanket bond surety premiums as provided in Section 1  
34 of this Act, by a fund transfer or warrant made payable from the fund from  
35 which each state agency, board, commission or institution of higher education  
36 receives its financial support. The provisions of this section shall be in

1 effect only from July 1, 2001 through June 30, 2003.

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3 SECTION 35. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
4 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
5 appropriations as provided in this Act, the agency disbursing officer shall  
6 monitor the level of fund balances in relation to expenditures on a monthly  
7 basis. If any proposed expenditures would cause a fund balance to decline to  
8 less than fifty percent (50%) of the balance available on July 1, 2001, the  
9 disbursing officer shall immediately notify the executive head of the agency.

10 Prior to any obligations being made under these circumstances, the agency  
11 head shall file written documentation with the Chief Fiscal Officer of the  
12 State requesting approval of the expenditures. Such documentation shall  
13 provide sufficient financial data to justify the expenditures and shall  
14 include the following:

15 1) a plan that clearly indicates the specific fiscal impact of such  
16 expenditures on the fund balance.

17 2) information clearly indicating and explaining what programs would be cut or  
18 any other measures to be taken by the agency to restore the fund balance.

19 3) the extent to which any of the planned expenditures are for one-time costs  
20 or one-time purchase of capitalized items.

21 4) a statement certifying that the expenditure of fund balances will not  
22 jeopardize the financial health of the agency, nor result in a permanent  
23 depletion of the fund balance.

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

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

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SECTION 37. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 38. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2001 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2001 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2001.

*/s/ Joint Budget Committee*

APPROVED: 2/21/2001