

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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7

# A Bill

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."

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## Subtitle

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

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

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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:

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

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

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

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

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

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SECTION 6. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

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

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

SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Eightieth 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, 1995 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, 1995 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, 1995.

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