

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

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."

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Subtitle

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

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

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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:

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30 ITEM	FISCAL YEARS	
31 NO.	1995-96	1996-97
32 (01) CASH APPROPRIATIONS	<u>\$ 50,000,000</u>	
33 <u>50,000,000</u>		

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35 SECTION 2. TRANSFER PROCEDURES. In the event that the appropriation

1 is not provided by the General Assembly for Cash Fund expenditures for any
2 state agency, pursuant to Arkansas Code 19-4-801 et. seq., said agency shall
3 request a transfer of appropriation from the Chief Fiscal Officer of the
4 State, stating clearly the amount required. Upon approval of the Chief
5 Fiscal Officer of the State, and after seeking prior review by the Arkansas
6 Legislative Council, said cash fund appropriations shall be established upon
7 the books of the Department of Finance and Administration, provided further,
8 that upon request of the state agency and with the approval of the Chief
9 Fiscal Officer of the State, the requested appropriations may be established
10 upon the books of the Department of Finance and Administration in compliance
11 with the applicable classifications of appropriations as enumerated in
12 Arkansas Code 19-4-521 through 19-4-525.

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

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

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

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

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

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

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

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

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

1 peace, health and safety shall be in full force and effect from and after
2 July 1, 1995.

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