

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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For An Act To Be Entitled

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"AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL

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IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS DEPARTMENT OF

10

COMMUNITY PUNISHMENT; AND FOR OTHER PURPOSES."

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Subtitle

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"AN ACT FOR THE ARKANSAS DEPARTMENT OF

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COMMUNITY PUNISHMENT REAPPROPRIATION."

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

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18 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
19 appropriated, to the Arkansas Department of Community Punishment, to be
20 payable from the General Improvement Fund or its successor fund or fund
21 accounts, for the Arkansas Department of Community Punishment, the following:

22 (A) Effective July 1, 1995, the balance of the appropriation provided
23 in Item (A) of Section 2 of Act 870 of 1993, for constructing, renovating,
24 and equipping various community correctional facilities, in a sum not to
25 exceed. \$200,000.

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27 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
28 obligations otherwise incurred in relation to the project or projects
29 described herein in excess of the State Treasury funds actually available
30 therefor as provided by law. Provided, however, that institutions and
31 agencies listed herein shall have the authority to accept and use grants and
32 donations including Federal funds, and to use its unobligated cash income or
33 funds, or both available to it, for the purpose of supplementing the State
34 Treasury funds for financing the entire costs of the project or projects
35 enumerated herein. Provided further, that the appropriations and funds

1 otherwise provided by the General Assembly for Maintenance and General
2 Operations of the agency or institutions receiving appropriation herein shall
3 not be used for any of the purposes as appropriated in this Act.

4 (B) Any restrictions contained in the Acts enumerated in the
5 reappropriation sections of this Act, the restrictions of any applicable
6 provisions of the State Purchasing Law, the General Accounting and Budgetary
7 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal
8 control laws of this State and regulations promulgated by the Department of
9 Finance and Administration, as authorized by law, shall be strictly complied
10 with in disbursement of any funds provided by this Act unless specifically
11 provided otherwise by law.

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13 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this Act shall be in compliance with the stated reasons for
16 which this Act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 4. CODE. All provisions of this Act of a general and
23 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
24 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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26 SECTION 5. SEVERABILITY. If any provision of this Act or the
27 application thereof to any person or circumstance is held invalid, such
28 invalidity shall not affect other provisions or applications of the Act which
29 can be given effect without the invalid provision or application, and to this
30 end the provisions of this Act are declared to be severable.

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32 SECTION 6. GENERAL REPEALER. All laws and parts of laws in conflict
33 with this Act are hereby repealed.

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35 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the

1 Eightieth General Assembly, that the Constitution of the State of Arkansas
2 prohibits the appropriation of funds for more than a two (2) year period;
3 that previous General Assemblies have provided appropriations for the
4 projects provided or enumerated in this act; that certain appropriations will
5 expire before the adjournment of the General Assembly; and that if such
6 appropriations expire, the projects and programs authorized herein will cease
7 thereby depriving the citizens of the State of the benefits to be derived
8 from such projects. Therefore, an emergency is hereby declared to exist and
9 this Act being necessary for the immediate preservation of the public peace,
10 health and safety shall be in full force and effect from and after the date
11 of its passage and approval.

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