

Stricken language would be deleted from present law. Underlined language would be added to current law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: H2/21/97

# A Bill

HOUSE BILL 1498

5 By: Joint Budget Committee  
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## For An Act To Be Entitled

9 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
10 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF FINANCE  
11 AND ADMINISTRATION - DISBURSING OFFICER; AND FOR OTHER  
12 PURPOSES."  
13

## Subtitle

14 "AN ACT FOR THE DEPARTMENT OF FINANCE  
15 AND ADMINISTRATION - DISBURSING OFFICER  
16 REAPPROPRIATION."  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. REAPPROPRIATION - MAJOR MAINTENANCE. There is hereby  
22 appropriated, to the Department of Finance and Administration - Disbursing  
23 Officer, to be payable from the General Improvement Fund or its successor fund  
24 or fund accounts, for the Department of Finance and Administration -  
25 Disbursing Officer, the following:

26 (A) Effective July 1, 1997, the balance of the appropriation provided  
27 in Item (A) of Section 1 of Act 691 of 1995, for major maintenance projects,  
28 in a sum not to exceed ..... \$157,250.  
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30 (B) Effective July 1, 1997, the balance of the appropriation provided in  
31 Item (A) of Section 2 of Act 691 of 1995, for the planning, development,  
32 implementation, training, and maintenance of a computerized voter registration  
33 system, which will be administered by the Secretary of State with the  
34 cooperation and advisement of the Department of Computer Services, in a sum  
35 not to exceed ..... \$288,315.  
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SECTION 2. REAPPROPRIATION - TELEMEDICINE. There is hereby appropriated, to the Department of *Computer Services or its successor agency*, to be payable from the Telecommunications and Information Technology Fund, from funds received from the General Improvement Fund from time to time for the Department of Finance and Administration - Disbursing Officer, the following:

(A) Effective July 1, 1997, the balance of the appropriation provided in Item (A) of Section 1 of Act 1070 of 1995, for providing grants to public and/or non-profit entities for the development of a statewide distance learning and telemedicine network, in a sum not to exceed .....\$4,000,000.

(B) Effective July 1, 1997, the balance of the appropriation provided in Section 1 of Act 1069 of 1995, for providing grants to public and/or non-profit entities for the development of a statewide distance learning and telemedicine network, in a sum not to exceed .....\$799,392.

SECTION 3. Before disbursing funds from the appropriation provided in Section 2 (A) and 2 (B) herein, the Department of Computer Services or its successor agency shall seek prior review from the Joint Interim Committee on Advanced Communications and Information Technology of the Arkansas General Assembly.

SECTION 4. Upon the direction of the Chief Fiscal Officer of the State, on July 1, 1997 or as soon thereafter as possible, the Department of Finance and Administration shall transfer funds as may be available from the General Improvement Fund to the Telecommunications and Information Technology Fund. The amount to be transferred shall be the smaller of \$2,000,000 or the amount of monies transferred from the Department of Human Services Fund to the General Revenue Allotment Reserve Fund from balances accruing during the fiscal year ending June 30, 1995.

SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and

1 agencies listed herein shall have the authority to accept and use grants and  
2 donations including Federal funds, and to use its unobligated cash income or  
3 funds, or both available to it, for the purpose of supplementing the State  
4 Treasury funds for financing the entire costs of the project or projects  
5 enumerated herein. Provided further, that the appropriations and funds  
6 otherwise provided by the General Assembly for Maintenance and General  
7 Operations of the agency or institutions receiving appropriation herein shall  
8 not be used for any of the purposes as appropriated in this Act.

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

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

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

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

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

SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects provided or enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will cease thereby depriving the citizens of the State of the benefits to be derived from such projects. 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 the date of its passage and approval.

*/s/Rep. Thicksten, et al*

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