

**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: H3/29/01*

## A Bill

HOUSE BILL 2048

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

9 AN ACT TO MAKE AN APPROPRIATION FOR PARTICIPATING  
10 STATE AGENCIES TO CONSOLIDATE UTILITY BILLING  
11 PAYMENTS AND INFORMATION AND MONITORING FUNCTION FOR  
12 THE DEPARTMENT OF FINANCE AND ADMINISTRATION -  
13 DISBURSING OFFICER FOR THE BIENNIAL PERIOD ENDING  
14 JUNE 30, 2003; AND FOR OTHER PURPOSES.  
15

### **Subtitle**

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18 AN ACT FOR THE DEPARTMENT OF FINANCE AND  
19 ADMINISTRATION - DISBURSING OFFICER -  
20 UTILITY BILLING PAYMENT CONSOLIDATION  
21 APPROPRIATION FOR THE 2001-2003  
22 BIENNIAL PERIOD.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
29 LEGISLATIVE FINDINGS AND INTENT. ENERGY MANAGEMENT INFORMATION SYSTEM. The  
30 State is initiating an Energy Management Information System in order to save  
31 the cost of energy consumed in state-owned facilities. Program participants  
32 will work to streamline the payment of utility bills and the collection of  
33 energy information, consolidate utility billing information, manage natural  
34 gas and electricity commodity procurement strategies, assist in negotiations  
35 with utility suppliers, assist with the development and execution of utility  
36 invoices and contracts, provide electric and gas market monitoring, identify

1 and evaluate energy cost reduction measures, provide meter data analysis for  
2 load profiling and aggregation, and provide centralized utility information  
3 and billing services.

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5 SECTION 2. APPROPRIATION. There is hereby appropriated, to the Department  
6 of Finance and Administration - Disbursing Officer, to be payable from the  
7 Energy Management Paying Fund, for the payment of utility bills for  
8 participating agencies of the Department of Finance and Administration -  
9 Disbursing Officer for the biennial period ending June 30, 2003, the  
10 following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) UTILITY PAYMENTS	\$ <u>0</u>	\$ <u>0</u>

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16 SECTION 3. SPECIAL LANGUAGE. FUND CREATED. There is hereby created on the  
17 books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer  
18 of the State a fund to be known as the Energy Management Paying Fund. This  
19 fund shall be used for the payment of utility bills for participating  
20 agencies by the Department of Finance and Administration-Disbursing Officer.  
21 These expenditures shall be funded by transfers from the participating  
22 agencies' funds.

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24 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
26 APPROPRIATION TRANSFER PROCEDURES. In order that the Department of Finance  
27 and Administration - Disbursing Officer may ensure timely payment of utility  
28 services for various state agencies, appropriations and funds are authorized  
29 to be transferred from the state agency to the appropriation provided for in  
30 Item (01) of Section 2 of this act. The participating agency will designate  
31 the appropriations and funds in which the transfers are to occur upon  
32 inclusion in the program.

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34 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
35 by this act shall be limited to the appropriation for such agency and funds  
36 made available by law for the support of such appropriations; and the

1 restrictions of the State Purchasing Law, the General Accounting and  
2 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
3 Procedures and Restrictions Act, or their successors, and other fiscal  
4 control laws of this State, where applicable, and regulations promulgated by  
5 the Department of Finance and Administration, as authorized by law, shall be  
6 strictly complied with in disbursement of said funds.

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

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17 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
18 Assembly, that the Constitution of the State of Arkansas prohibits the  
19 appropriation of funds for more than a two (2) year period; that the  
20 effectiveness of this Act on July 1, 2001 is essential to the operation of  
21 the agency for which the appropriations in this Act are provided, and that in  
22 the event of an extension of the Regular Session, the delay in the effective  
23 date of this Act beyond July 1, 2001 could work irreparable harm upon the  
24 proper administration and provision of essential governmental programs.  
25 Therefore, an emergency is hereby declared to exist and this Act being  
26 necessary for the immediate preservation of the public peace, health and  
27 safety shall be in full force and effect from and after July 1, 2001.

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29 /s/ Joint Budget Committee  
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