

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: H2/14/01

# A Bill

SENATE BILL 291

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING  
10 EXPENSES, RESEARCH, PROMOTION AND CONSUMER ACTIVITIES  
11 FOR THE ARKANSAS CATFISH PROMOTION BOARD BY THE  
12 DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING  
13 OFFICER FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003;  
14 AND FOR OTHER PURPOSES.

## Subtitle

18 AN ACT FOR THE DEPARTMENT OF FINANCE AND  
19 ADMINISTRATION - DISBURSING OFFICER -  
20 ARKANSAS CATFISH PROMOTION BOARD  
21 APPROPRIATION FOR THE 2001-2003  
22 BIENNIAL PERIOD.

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

27 SECTION 1. APPROPRIATION - ARKANSAS CATFISH PROMOTION BOARD. There is  
28 hereby appropriated, to the *Arkansas Catfish Promotion Board*, to be payable  
29 from the Arkansas Catfish Promotion Fund, for operating expenses, promotion,  
30 research and consumer information for the Arkansas Catfish Promotion Board for  
31 the biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 5,000	\$ 5,000

1	(B) CONF. & TRAVEL	0	0
2	(C) PROF. FEES	0	0
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	0	0
5	(02) PROMOTIONAL ITEMS	50,000	50,000
6	(03) RESEARCH/DEVELOPMENT	150,000	150,000
7	(04) CONSUMER INFORMATION	<u>50,000</u>	<u>50,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 255,000</u>	<u>\$ 255,000</u>

9

10 SECTION 2. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED

11 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all

12 appropriations as provided in this Act, the agency disbursing officer shall

13 monitor the level of fund balances in relation to expenditures on a monthly

14 basis. If any proposed expenditures would cause a fund balance to decline to

15 less than fifty percent (50%) of the balance available on July 1, 2001, the

16 disbursing officer shall immediately notify the executive head of the agency.

17 Prior to any obligations being made under these circumstances, the agency head

18 shall file written documentation with the Chief Fiscal Officer of the State

19 requesting approval of the expenditures. Such documentation shall provide

20 sufficient financial data to justify the expenditures and shall include the

21 following:

22 1) a plan that clearly indicates the specific fiscal impact of such

23 expenditures on the fund balance.

24 2) information clearly indicating and explaining what programs would be cut or

25 any other measures to be taken by the agency to restore the fund balance.

26 3) the extent to which any of the planned expenditures are for one-time costs

27 or one-time purchase of capitalized items.

28 4) a statement certifying that the expenditure of fund balances will not

29 jeopardize the financial health of the agency, nor result in a permanent

30 depletion of the fund balance.

31 (B) The Chief Fiscal Officer of the State shall review the request and

32 approve or disapprove all or any part of the request, after having sought

33 prior review by the Legislative Council.

34

35 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by

36 this act shall be limited to the appropriation for such agency and funds made

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

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

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18 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
19 Assembly, that the Constitution of the State of Arkansas prohibits the  
20 appropriation of funds for more than a two (2) year period; that the  
21 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
22 agency for which the appropriations in this Act are provided, and that in the  
23 event of an extension of the Regular Session, the delay in the effective date  
24 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
25 administration and provision of essential governmental programs. Therefore, an  
26 emergency is hereby declared to exist and this Act being necessary for the  
27 immediate preservation of the public peace, health and safety shall be in full  
28 force and effect from and after July 1, 2001.

29 */s/ Joint Budget Committee*