

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1001(ss) be amended to read as follows:

- 1 Page 229, between lines 32 and 33, begin a new paragraph and
2 insert:
3 "SECTION 194. [EFFECTIVE JULY 1, 2002] (a) **Notwithstanding**
4 **IC 4-12-1-12, IC 4-13-2-18, or any other law or rule, the general**
5 **fund appropriation of one million dollars (\$1,000,000) FOR THE**
6 **FAMILY AND SOCIAL SERVICES ADMINISTRATION,**
7 **DOMESTIC VIOLENCE PREVENTION AND TREATMENT**
8 **PROGRAM, Total Operating Expense made in P.L.291-2001,**
9 **SECTION 7, for FY 2002-2003, is automatically allotted on a**
10 **quarterly basis for the state fiscal year beginning July 1, 2002, and**
11 **ending June 30, 2003.**
12 (b) **It is the intent of the general assembly that the appropriation**
13 **made in this SECTION be distributed or otherwise expended in**
14 **conformity with the appropriation as provided by this SECTION**
15 **or, in the absence of a provision concerning the time of its**
16 **expenditure, as soon as possible after the effective date of the**
17 **SECTION of this act describing the appropriation. The state**
18 **agency to which the money is appropriated must spend the money**
19 **as appropriated without any reversion at the end of the state fiscal**
20 **year. All procedures related to the allotment and distribution of the**
21 **money for appropriated expenditures shall be treated as clerical**
22 **functions without any statutory discretion.**
23 (c) **Notwithstanding IC 4-9.1-1-7 or any other law granting**
24 **power to the state board of finance or another entity or official in**
25 **the executive department of state government to transfer money**
26 **among funds or between appropriations, money related to the**
27 **appropriation may not be transferred for any purpose other than**
28 **the purposes described in this SECTION and may not be used for**
29 **any appropriation other than the appropriation described in that**

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SECTION.

(d) Notwithstanding IC 4-12-1-12, IC 4-13-2-18, or any other law, policy, practice, or rule granting allotment powers or powers to transfer, assign, or reassign appropriations to:

- (1) the budget director;**
- (2) the budget agency; or**
- (3) any other entity or public official in the executive department of state government;**

no law authorizes the budget agency or any other entity or public official in the executive department of state government to delay or deny allotment, use, or distribution of the appropriation described in this SECTION.

(e) The appropriation described in this SECTION shall be treated as automatically allotted for the purposes of the appropriation:

- (1) on the date or occurrence of the event specified in this SECTION; or**
- (2) in the absence of a specific date or event for allotment, on the effective date of this SECTION.**

An appropriation automatically allotted for one (1) quarter of a state fiscal year and not fully expended in that quarter remains allotted for expenditure throughout that state fiscal year.

(f) Notwithstanding any law giving discretion to any official to determine when to expend or distribute money appropriated by the general assembly, the state shall expend or distribute the amount of the automatically allotted appropriation as provided in this SECTION or, in the absence of provisions in this SECTION, upon allotment.

(g) If there is insufficient money to make all appropriations made by the general assembly for the state fiscal year beginning July 1, 2002, and ending June 30, 2003, any adjustments in state spending necessary to make the expenditures of automatically allotted appropriations shall be made from appropriations other than the automatically allotted appropriations.

(h) This SECTION expires July 1, 2003."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1001(ss) as printed June 13, 2002.)

Senator ZAKAS