

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 494 OF 1993
HOUSE BILL 1641

4 **By: Reps. Wyrick, Wooldridge, Blair, Wallis, Choate, Hinshaw, Easley, Stalnaker, Curran,**
5 **Sanson, Jordan, Henry, Dietz, King, O. Miller, J. Roberts, B. Wood, McJunkin, Young, Watts,**
6 **Bryant, Cash, Riable, Molinaro, Hall, Smith, Brownlee, Townsend, Fletcher, Rice, Mitchell,**
7 **Collier, Bisbee, Owens, Hill, Wren, Hawkins, McGee, K. Wood, Wingfield, McKissack, and**
8 **Mullenix**

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For An Act To Be Entitled

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12 "AN ACT TO REDUCE THE GROWTH OF STATE GOVERNMENT BY
13 LIMITING EXPENDITURES TO LESS THAN THE AMOUNT
14 APPROPRIATED; AND FOR OTHER PURPOSES."

15

Subtitle

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17 "AN ACT TO LIMIT EXPENDITURES TO LESS THAN THE AMOUNT
18 APPROPRIATED."

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

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22 SECTION 1. RESTRICTIONS ON EXPENDITURE OF APPROPRIATIONS. It is hereby
23 declared by the General Assembly that no more than 95% of any appropriation
24 made by the General Assembly for the benefit of any agency, institution,
25 department, board or commission of this State government, having more than ten
26 (10) authorized employee positions, and that no more than 98% of any
27 appropriation made by the General Assembly for the benefit of any agency,
28 institution, department, board or commission of State Government having ten
29 (10) or fewer authorized employee positions, excluding contributions to
30 national and regional organizations, and which such appropriations are
31 supported from general, special revenues or from fees deposited in financial
32 institutions other than the state treasury shall be expended or obligated for
33 each year of the biennium. For those appropriations made to the Department of
34 Education and Department of Human Services, the savings of appropriation shall
35 be 5% of the aggregate amount appropriated from general or special revenues
36 for the department. Provided, in the case of agencies, boards, commissions,

1 and institutions having ten (10) or fewer authorized employee positions, the
2 savings of appropriations shall be 2% of the aggregate amount appropriated
3 from General or Special Revenue or from fees deposited in financial
4 institutions other than the state treasury for the affected agency, board,
5 commission or institution. On or before July 1 of each fiscal year of the
6 biennium, the Chief Fiscal Officer of the State shall report to the Arkansas
7 Legislative Council the amounts to be saved by each agency, institution,
8 department, board and commission and where the various agencies, departments,
9 board and commissions are anticipating making such savings.

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11 SECTION 2. INCREASE IN EXPENDITURES BY EXECUTIVE PROCLAMATION. In the
12 event that any agency, board, commission, institution, or department
13 demonstrates that the restrictions placed upon them by this Act will create
14 an emergency situation affecting the public health, welfare or safety of the
15 citizens of this State, the Governor shall issue an Executive Proclamation
16 stating the facts and reasons for such emergency and shall set forth the
17 amount of the appropriation which may be utilized over and above the amount
18 determined by this Act. Provided, however, that the Governor may not increase
19 the expenditure level of appropriations supported from Special Revenues or
20 from fees deposited in financial institutions other than the state treasury by
21 more than \$2,000,000 in the aggregate during any one [1] fiscal year for all
22 agencies, boards, commissions, institutions or departments, no more than
23 \$10,000,000 in the aggregate during any one [1] fiscal year for appropriations
24 supported from General Revenues for all agencies, boards, commissions,
25 departments or institutions. Nothing in this Act is to be construed as to
26 allow the Governor to allow any agency, board, commission, institution, or
27 department to make expenditures or obligations over and above the
28 appropriation amount authorized by the General Assembly.

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30 SECTION 3. EXEMPTIONS. *The provisions of this act shall not apply to:*

31 (a) *Appropriations made payable from the Public School Fund;*

32 (b) *Appropriations made to the State supported institutions of higher*
33 *education, including universities, community colleges, technical colleges and*
34 *the branches thereof; and technical institutes and comprehensive lifelong*
35 *learning centers;*

1 (c) Appropriations made payable from the State Highway and
2 Transportation Department Fund, State Aid Road Fund, Highway Special
3 Construction Fund, Revenue Sharing Highway Trust Fund or fund accounts
4 thereof.

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6 SECTION 4. EMERGENCY CLAUSE. It is hereby found and determined by the
7 79th General Assembly of the State of Arkansas that the economic conditions of
8 the state for the next two years is extremely difficult to predict; that state
9 government has been allowed to grow at a rate which is greater than that in
10 the private sector; that a slowdown in the growth of state government
11 expenditures would help assure the financial stability of the state and would
12 be a first step toward combating the economic pressures of our citizens; and
13 that this procedure must be in effect on the same date as appropriations are
14 available for the next biennium. Therefore, an emergency is hereby declared
15 to exist and this act being necessary for the immediate preservation of the
16 public peace, health and safety shall be in full force and effect from and
17 after July 1, 1993.

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/s/Phil Wyrick, et al

APPROVED: 03/12/93

As Engrossed: 2/24/93 3/3/93

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