

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 19-5-501 WHICH IS
9 THE BUDGET STABILIZATION TRUST FUND; AND FOR OTHER
10 PURPOSES."

Subtitle

13 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 19-5-501."

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

17 SECTION 1. A.C.A. 19-5-501 (b) (1) (A) is hereby amended to read as
18 follows:

19 "(1) (A) Making temporary loans to those funds and fund accounts as set
20 out in § 19-5-401 et seq., to the Department of Correction Farm Fund for farm
21 production purposes, to the Department of Correction Prison Industry Fund, to
22 the Department of Parks & Tourism Fund Account, to the Income Tax Refund Fund,
23 and to the various funds established in the Revenue Classification Law of
24 Arkansas, § 19-6-101 et seq., any other funds or fund accounts as may be
25 specified elsewhere in this section. The loans made to the funds and fund
26 accounts set out in § 19-5-401 et seq. shall be repaid on or before June 30 of
27 the fiscal year in which the loan is made, except as provided elsewhere in
28 this section."

30 SECTION 2. Any loans made to the Department of Parks and Tourism Fund
31 Account are to be repaid on or before June 30 of the fiscal year following the
32 fiscal year in which the loan was made. Such loans shall be made only for the
33 purpose of accommodating any cash flow deficiencies resulting from actions of
34 the 79th General Assembly which provide for increases in fees, rates, tolls,
35 discounts, and charges for the services, facilities, and commodities rendered

1 by the properties and equipment of the Arkansas State Park system. Be it
2 further provided, however, that the amount of loans to be repaid may be
3 reduced by an amount certified by the Director of the Department of Parks and
4 Tourism to the Chief Fiscal Officer of the State which represents the amount
5 of fee collections not received to meet the prudently expected and certified
6 other income established to fund the budget for the Department of Parks and
7 Tourism for the 1993-95 biennium. The provisions of this section shall be in
8 full force and effect for the biennium ending June 30, 1995.

9

10 SECTION 3. Any loans made to the operating fund accounts of the
11 Arkansas Bureau of Standards, State Plant Board, Soil and Water Conservation
12 Commission, State Securities Department, State Insurance Department and the
13 Department of Pollution Control and Ecology are to be repaid on or before June
14 30 of the fiscal year following the fiscal year in which the loan was made.
15 Such loans shall be made only for the purpose of accommodating any cash flow
16 deficiencies resulting from actions of the 79th General Assembly which provide
17 for increases in fees, rates, tolls, discounts, and charges for the services,
18 facilities, and commodities rendered by the agencies specified in this
19 section. The provisions of this section shall be in full force and effect for
20 the biennium ending June 30, 1995."

21

22 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
23 authorized by this Act shall be limited to the appropriation for such agency
24 and funds made available by law for the support of such appropriations; and
25 the restrictions of the State Purchasing Law, the General Accounting and
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
27 Procedures and Restrictions Act, or their successors, and other fiscal control
28 laws of this State, where applicable, and regulations promulgated by the
29 Department of Finance and Administration, as authorized by law, shall be
30 strictly complied with in disbursement of said funds.

31

32 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this Act shall be in compliance with the stated reasons for which
35 this Act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.

5

6 SECTION 6. CODE. All provisions of this Act of a general and permanent
7 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
8 Code Revision Commission shall incorporate the same in the Code.

9

10 SECTION 7. SEVERABILITY. If any provision of this Act or the
11 application thereof to any person or circumstance is held invalid, such
12 invalidity shall not affect other provisions or applications of the Act which
13 can be given effect without the invalid provision or application, and to this
14 end the provisions of this Act are declared to be severable.

15

16 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
17 with this Act are hereby repealed.

18

19 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
20 Seventy-Ninth General Assembly meeting in Regular Session, that the provisions
21 of this Act are of critical importance to the effective operations of the
22 various state agencies which provide important goods and services to the
23 people of the State of Arkansas. Therefore, an emergency is hereby declared
24 to exist, and this Act being necessary for the immediate preservation of the
25 public peace, health, and safety shall be in full force and effect from and
26 after its passage and approval.

27

28

29

30

31

32

33

34

35

1

2