

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

A Bill

ACT 643 OF 1993
HOUSE BILL 2019

For An Act To Be Entitled

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

Subtitle

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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APPROVED: 3/23/93

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