

Act 819 of the 1989 Regular Session.

Act 819

HB1843

By: Joint Budget Committee

"AN ACT TO AUTHORIZE THE ESTABLISHMENT OF FUNDS IN FINANCIAL INSTITUTIONS OTHER THAN THE STATE TREASURY FOR MAKING DEBT SERVICE PAYMENTS ON BONDED INDEBTEDNESS AND LEASES OF REGIONAL FACILITIES OF THE DEPARTMENT OF CORRECTION OR BOTH; AND FOR OTHER PURPOSES."

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

SECTION 1. The Arkansas Department of Correction is hereby authorized to establish accounts in financial institutions other than the State Treasury for the purpose of making debt service payments on bonds issued or leases or both through the Arkansas Development Finance Authority and as otherwise authorized by law. The accounts shall be entitled the "Construction Fund Deficiency Account", the "Prisoner Housing Contract Account", and the "Regional Facilities Operations Account". Receipts into the accounts so established shall be from transfers from the Work Release cash funds, payments to the Department of Correction for housing county and city prisoners in regional facilities and such other sources as required.

SECTION 2. Payments made by the Department of Correction from the Work Release cash funds, Construction Fund Deficiency Account, Prisoner Housing Contract Account and the Regional Facilities Operations Account which are made for bonded indebtedness or leases of regional correction facilities or both are specifically exempt for the provisions of Arkansas Code 19-4-801 through 19-4-806 inclusive.

SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this Act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

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

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

SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly that the Arkansas Department of Correction is to receive \$22.5 million from bond proceeds issued by the State of Arkansas through the Arkansas Development Finance Authority and that the purchaser of such bonds require that legislation be enacted authorizing the creation of various accounts in financial institutions outside of the State Treasury. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval.

APPROVED: March 21, 1989
