

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: S2/26/01*

# A Bill

SENATE BILL 470

5 By: *Joint Budget Committee*  
6  
7

## For An Act To Be Entitled

9 AN ACT TO CREATE THE DEPARTMENT OF LABOR SPECIAL FUND;  
10 TO REPEAL CERTAIN SPECIAL REVENUE FUNDS; TO PROVIDE  
11 FOR THE DISPOSITION OF FEES COLLECTED BY THE  
12 DEPARTMENT OF LABOR; TO AUTHORIZE THE DEPARTMENT OF  
13 LABOR TO TRANSFER FUNDS; AND FOR OTHER PURPOSES.  
14

## Subtitle

15 AN ACT TO CREATE THE DEPARTMENT OF LABOR  
16 SPECIAL FUND AND TO REPEAL CERTAIN  
17 SPECIAL REVENUE FUNDS.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Title 19, Chapter 5, Subchapter 12 is amended to add an  
26 additional section to read as follows:

27 19-5-1211. Labor Department Special Fund.

28 (a) There is created on the books of the Treasurer of State, the  
29 Auditor of State, and the Chief Fiscal Officer of the State a special fund to  
30 be known as the Department of Labor Special Fund.

31 (b) This fund shall consist of:

32 (1) The balances of the Department of Labor Boiler Inspection  
33 Fund on the effective date of this act;

34 (2) The balances of the Board of Electrical Examiners Fund on the  
35 effective date of this act;

36 (3) Those special revenues as set out in §§ 19-6-301(25), 19-6-

1 301(36), 19-6-301(72), 19-6-301(112), 19-6-301(158), and 19-6-301(180); and  
 2 (4) The fee, penalty and assessment income, and all other income,  
 3 the disposition of which is not otherwise provided by law, of the Arkansas  
 4 Department of Labor.

5 (c) The Department of Labor Special Fund shall be used for the  
 6 maintenance, operation, and improvements required by the Department of Labor  
 7 in carrying out the special revenue programs enumerated in subdivisions (b)(1)  
 8 through (b)(3) of this section, and to defray the costs of the maintenance,  
 9 operation, and improvements required by the Department of Labor or the  
 10 Director of the Department of Labor in carrying out the functions, powers, and  
 11 duties imposed by law on the department or the director.

12 (d) The Director of the Department of Labor, with the approval of the  
 13 Chief Fiscal Officer of the State, is authorized to transfer funds from the  
 14 Department of Labor Special Fund to the Department of Labor Fund Account.

15  
 16 SECTION 2. Arkansas Code 19-5-302(8), concerning the Department of  
 17 Labor Fund Account, is amended to read as follows:

18 (8)(A) DEPARTMENT OF LABOR FUND ACCOUNT. The Department of Labor  
 19 Fund Account shall be used for the maintenance, operation, and improvement  
 20 required by the Department of Labor in carrying out those powers, functions,  
 21 and duties imposed by law upon the Director of the Department of Labor or the  
 22 Department of Labor, or upon the State Mine Inspector as set out in § 11-17-  
 23 201 et seq., or any other duties that may be imposed by law upon the  
 24 department which was transferred to the department by § 25-12-101.

25 (B) The fund account shall consist of:

26 (i) Those general revenues as may be provided by law;  
 27 ~~(ii) Nonrevenue income derived from services provided~~  
 28 ~~by the department programs operating from the account;~~

29 ~~(iii) Those special revenues as set out in~~  
 30 ~~subdivisions (25), (112), (158), and (180) of § 19-6-301 of the Revenue~~  
 31 ~~Classification Law, § 19-6-101 et seq.;~~

32 ~~(iv) Those funds transferred from the Workers'~~  
 33 ~~Compensation Fund Account as determined by the Workers' Compensation~~  
 34 ~~Commission; and~~

35 ~~(v)(ii)~~ Such other funds as may be provided by law  
 36 including federal reimbursement received on account of eligible expenditures

1 by the various programs of the Department of Labor operating from and having  
2 appropriations made payable from the account.

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4 SECTION 3. Arkansas Code 19-6-416 is repealed.

5 ~~19-6-416. Department of Labor Boiler Inspection Fund.~~

6 ~~The Department of Labor Boiler Inspection Fund shall consist of special~~  
7 ~~revenues as specified in subdivision (36) of 19-6-301, there to be used for the~~  
8 ~~maintenance, operation, and improvement required by the Boiler Inspection~~  
9 ~~Division of the Department of Labor in carrying out the powers, functions, and~~  
10 ~~duties as set out in 20-23-201 et seq., and for paying the expenses of~~  
11 ~~administering such funds by the Department of Labor as may be authorized by~~  
12 ~~law.~~

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14 SECTION 4. Arkansas Code 19-6-436 is repealed.

15 ~~19-6-436. Board of Electrical Examiners Fund.~~

16 ~~The Board of Electrical Examiners Fund shall consist of those special~~  
17 ~~revenues as specified in subdivision (72) of 19-6-301, all balances existing~~  
18 ~~in banks as of February 19, 1981, and all principal and interest received upon~~  
19 ~~maturity of certificates of deposit, there to be used for operating expenses~~  
20 ~~of the Board of Electrical Examiners of the Department of Labor in carrying~~  
21 ~~out the functions, powers, and duties as set out in 17-28-101 et seq.~~

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23 SECTION 5. Arkansas Code 17-28-103 is amended to read as follows:

24 17-28-103. Disposition of funds.

25 All funds received by the Board of Electrical Examiners of the State of  
26 Arkansas under the provisions of this chapter shall be deposited as special  
27 revenues in the State Treasury to the credit of the ~~Board of Electrical~~  
28 ~~Examiners Fund~~ Department of Labor Special Fund, there to be used ~~for~~  
29 ~~operating expenses of the board~~ by the Department of Labor in carrying out the  
30 functions, powers, and duties as set out in this chapter ~~and § 20-31-101 et~~  
31 ~~seq~~ and to defray the costs of the maintenance, operation and improvements  
32 required by the Department of Labor in carrying out the functions, powers and  
33 duties otherwise imposed by law on the department or the Director of the  
34 Department of Labor.

35  
36 SECTION 6. Arkansas Code 20-23-105 is amended to read as follows:

20-23-105. Disposition of funds.

(a) All money received under the provisions of this chapter shall be paid to the Treasurer of State, who shall place this money to the credit of the ~~Boiler Inspection Division,~~ Department of Labor Special Fund and the ~~salaries and expenses of operating the division shall be paid therefrom~~ there to be used by the Department of Labor in carrying out the functions, powers and duties as set out in this chapter and to defray the costs of the maintenance, operation and improvements required by the Department of Labor in carrying out the functions, powers and duties otherwise imposed by law on the department or the Director of the Department of Labor.

(b) ~~The Chief Inspector of the Boiler Inspection Division~~ Director of the Department of Labor is authorized to issue vouchers for salaries and expenses of the division when proper appropriation has been made for the expenditures.

SECTION 7. Arkansas Code 11-6-103(e), concerning penalties for child labor violations, is amended to read as follows:

(e) Sums collected under this section shall be paid into the ~~general fund of the State Treasury~~ Department of Labor Special Fund.

SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-third General Assembly that this act must go into effect on the date the biennial appropriation for the Department of Labor goes into effect, which is July 1, 2001, and that the delay in the effective date of this act could work irreparable harm upon the proper administration and provisions of essential government programs. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2001.

*/s/ Joint Budget Committee*