

"AN ACT TO AMEND SUBSECTION (E) OF SECTION 5 OF ACT 750 OF 1973, AS AMENDED, [ARK. STATS. 13-511(E)] AS AMENDED BY ACT 945 OF 1987 TO CLARIFY THE PROCEDURES WHICH DETERMINE THE DISTRIBUTION OF FUNDS IN THE STATE CENTRAL SERVICES FUND; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 9 of Act 928 of 1987 is hereby amended to read as follows:

"SECTION 9. The Chief Fiscal Officer of the State is hereby authorized to transfer, up to a maximum of four million dollars (\$4,000,000), from the State Budget Revolving Fund, or its successor, to the State Central Services Fund, only in those instances when obligations incurred by the State Central Services Fund are estimated to exceed or are actually exceeding estimated or actual available resources. Such transfer shall also be utilized to provide a level of funding, for those appropriations made payable from the State Central Services Fund, equal to the previous year's expenditure or the current year appropriation, whichever is less, in the event that income from all sources does not provide such funding level. Any transfer made as authorized herein shall require the review and advice of the Arkansas Legislative Council prior to the transfer of any such funds."

SECTION 2. Paragraph (2) of Subsection (E) of Section 5 of Act 750 of 1973, as amended, is hereby amended by adding the following new sub-paragraph at the end thereof to read as follows:

"(e) In the event that the certified level of funding provided from the procedures as set out in this paragraph do not provide to each agency supported from the State Central Services Fund an operating level from such fund equal to the previous fiscal year's expenditure or the current fiscal year appropriation, whichever is the lesser, then the following procedure shall be carried out to the extent necessary. First an amount not to exceed \$4,000,000 in any one fiscal year may be transferred from the Budget Stabilization Trust Fund to the State Central Services Fund in order to provide such operating level. Next, 31% up to a maximum of \$250,000 each, of any increase over the previous year's expenditures to be received by the Bureau of Legislative Research and the Legislative Joint Auditing Committee, shall be deducted from such budgets and redistributed in the following manner and order:

(i) Proportionately to those agencies in the State Central Services Fund which will not receive an operating level equal to their previous year's expenditures or the current year's appropriation, whichever is less, from all other sources;

(ii) An amount sufficient to complete the full financing of the budgets for the Arkansas Senate, the Arkansas House of Representatives, and Lieutenant Governor; and up to \$24,470 for the State Land Department; and

(iii) Any remainder shall be distributed proportionately to those operating budgets of the elected Constitutional officers whose operating budgets from the State Central Services Fund are not fully funded after all of the aforementioned procedures are accomplished."

SECTION 3. Effective upon passage and approval of this Act, Subsection (4) of Section (14) of Act 938 of 1981, as amended, is hereby amended to read as follows:

"(4) Loans made to the Constitutional and Fiscal Agencies Fund from the State Budget Revolving Fund by the Chief Fiscal Officer of the State for the 1986-87 fiscal year not in excess of the loans required to finance the 1986-87 expenditures from said fund shall be transferred permanently to the Constitutional and Fiscal Agencies Fund."

SECTION 4. EMERGENCY CLAUSE. It is hereby found and determined by the 76th General Assembly meeting in 1st Extraordinary Session that the passage of this Act is necessary to provide for the orderly and continued operation of the agencies funded from the State Central Services Fund and to correct an oversight applicable to the Constitutional and Fiscal Agencies Fund. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health, and necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after its passage and

APPROVED: June 12, 1987
