

Act 122 of the First Special Session of 1989.

Act 122

SB121

By: Joint Budget Committee

For An Act To Be Entitled
"AN ACT TO MAKE AN APPROPRIATION TO THE OFFICE OF THE
TREASURER OF STATE FOR STATE TURNBACK FOR COUNTIES AND
MUNICIPALITIES FOR THE BIENNIAL PERIOD ENDING JUNE 30,
1991; AND FOR OTHER PURPOSES."

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

SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Office
of the Treasurer of State, to be payable from the County Aid Fund, for the
purpose of distributing General Revenues accruing therein for the benefit of
counties, as provided by law, by the Office of the Treasurer of State for the
biennial period ending June 30, 1991, the following:

Table with 3 columns: ITEM NO., FISCAL YEARS 1989-90, FISCAL YEARS 1990-91. Row 1: (01) GENERAL REVENUES-COUNTIES, \$21,552,313, \$21,552,313

SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Office
of the Treasurer of State, to be payable from the County Aid Fund, for the
purpose of distributing any monies provided by Highway Turnback, Severance
Taxes to Counties, and any other monies provided by Acts of the General
Assembly for the benefit of counties by the Office of the Treasurer of State
for the biennial period ending June 30, 1991, the following:

Table with 3 columns: ITEM NO., FISCAL YEARS 1989-90, FISCAL YEARS 1990-91. Row 1: (01) SPECIAL REVENUES-COUNTIES, \$65,000,000, \$65,000,000

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Office
of the Treasurer of State, to be payable from the County Aid Fund, from monies
received from the sale or lease of minerals, oil and gas on federal military
lands to the County Road Fund of the counties to which such monies are
allocated by law, for the biennial period ending June 30, 1991, the sum of
..... \$1,500,000.

SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the Office
of the Treasurer of State, to be payable from the County Aid Fund, from monies
received from the sale or lease of minerals, oil and gas on federal military
lands to the County Treasurer of the counties to which such monies are
allocated by law, for distribution to the various taxing units of said county
as provided by law, for the biennial period ending June 30, 1991, the sum of
..... \$2,500,000.

SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the Office
of the Treasurer of State, to be payable from the County Aid Fund, from
unanticipated monies received from the sale or lease of minerals, oil and gas
on federal military lands or from other unanticipated special revenues, for
the transfer to those counties to which such monies are allocated by law, for

the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) UNANTICIPATED MINERAL, OIL AND GAS MONIES OR UNANTICIPATED SPECIAL REVENUES	\$20,000,000	\$20,000,000

SECTION 6. APPROPRIATIONS. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the Municipal Aid Fund, for the purpose of distributing General Revenues accruing therein for the benefit of municipalities, as provided by law, by the Office of the Treasurer of State for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) GENERAL REVENUES-CITIES	\$30,136,193	\$30,136,193

SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the Municipal Aid Fund, for the purpose of distributing Special Revenues accruing therein for the benefit of municipalities, as provided by law, by the Office of the Treasurer of State for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) SPECIAL REVENUES-CITIES	\$50,000,000	\$50,000,000

SECTION 8. POLICE PROTECTION. None of the funds appropriated in Sections 6 and 7 of this Act may be disbursed to any municipality which fails to provide adequate police protection for State property located within its corporate limits.

SECTION 9. On July 1 of each fiscal year of the biennial period ending June 30, 1991, the Chief Fiscal Officer of the State shall request a transfer by the State Treasurer from the Budget Stabilization Trust Fund to the County Aid Fund and to the Municipal Aid Fund to assist the various cities and counties in meeting cash flow needs early in the state fiscal year. The transfer shall be a loan to be repaid in equal installments from general revenue distributions each month during the fiscal year for which the loan was made and shall be in addition to any other loans authorized by law for the County Aid and Municipal Aid Funds. The amount of such loan for each fiscal year shall be \$3,517,657 to the Municipal Aid Fund and \$1,906,079 to the County Aid Fund, or so much thereof as may be available in the Budget Stabilization Trust Fund as determined by the Chief Fiscal Officer of the State. Upon such transfer being completed, the State Treasurer shall immediately distribute such funds to each of the several municipalities and counties in the same manner as general revenues are distributed.

It is the intent of the General Assembly that the Chief Fiscal Officer of the State and the State Treasurer shall make every reasonable, and financially sound effort to insure that local governments receive the full amount of the loan authorized herein on July 1 of each year and that the moneys authorized for local governments from general revenues be distributed in equal monthly payments.

SECTION 10. The appropriation authorized in Sections 3 and 4 of this Act or any other appropriation as provided by the General Assembly for aid to counties may be supplemented, if necessary, by a transfer from the appropriation provided for in Section 5 of this Act.

SECTION 11. 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 12. 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 13. 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. Act 205 of 1989 is hereby repealed.

SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. 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 July 1, 1989.

APPROVED: June 23, 1989
