

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S3/9/99
A Bill

Act 669 of 1999
SENATE BILL 272

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR MAKING PAYMENTS
10 FOR CITY-COUNTY TOURIST FACILITIES REQUIRED BY THE
11 STATE BOARD OF FINANCE BY ARKANSAS CODE 14-171-201
12 THROUGH 14-171-217 FOR THE BIENNIAL PERIOD ENDING JUNE
13 30, 2001; AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE OFFICE OF THE TREASURER
16 OF STATE - CITY-COUNTY TOURIST
17 APPROPRIATION FOR THE 1999-2001
18 BIENNIUM."
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. APPROPRIATION - CITY-COUNTY TOURIST. There is hereby
25 appropriated, to the Office of the Treasurer of State, to be payable from the
26 City-County Tourist Facilities Aid Fund, for making payments as authorized by
27 law for publicly owned eligible facilities as authorized by Arkansas Code
28 14-171-201 through 14-171-217, for the biennial period ending June 30, 2001,
29 the following:
30

31 ITEM	FISCAL YEARS	
32 NO.	1999-2000	2000-2001
33 (01) FACILITY DEBT SERVICE AND OPERATING		
34 EXPENSES	\$ <u>9,000,000</u>	\$ <u>10,500,000</u>

35
36 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE

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1 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~Arkansas Code~~
 2 ~~14-171-202(7) is hereby amended to read as follows:~~ CITY-COUNTY TOURIST
 3 FACILITIES - INTEREST OF THE STATE.

4 ~~"(7)~~ It is in the interest of both the state and its cities and counties
 5 for the state to assist any city or county in financing construction of and
 6 expenditures relating to tourist meeting facilities and tourist entertainment
 7 facilities by continuing to pay to the city or county a portion of the
 8 increased state sales tax revenues and state income tax revenues attributable
 9 to them, as is provided in this subchapter."

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11 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 12 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~Arkansas Code~~
 13 ~~14-171-203(3) and (7) are amended to read as follows:~~ CITY-COUNTY TOURIST
 14 FACILITIES - DEFINITIONS.

15 ~~"(3)~~ "City" means any city of the first or second class in this state and
 16 also means the War Memorial Stadium Commission, Arkansas Livestock and Poultry
 17 Commission, the Arkansas State Fair and Livestock Show Association, and the
 18 Four States' Fair in Texarkana, Arkansas.;"

19 ~~(7)~~ "Eligible facilities" means any publicly owned tourist meeting facilities
 20 or tourist entertainment facilities acquired or completed, or substantially
 21 reconstructed or expanded, after December 31, 1974 and also means War Memorial
 22 Stadium and, the facilities on the Arkansas State Fairgrounds in Little Rock,
 23 Arkansas, and the facilities of the Four States' Fair in Texarkana, Arkansas.
 24 Manufacturing facilities are specifically excluded from this definition;"

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26 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 27 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~Arkansas Code~~
 28 ~~14-171-210(c)(2) is hereby amended to read as follows:~~ CITY-COUNTY TOURIST
 29 FACILITIES - STATE PAYMENT MAXIMUMS.

30 ~~"(2)~~ In the case bonds issued to finance the eligible facilities are
 31 fully retired or the investment of the city or county of its revenue in the
 32 eligible facilities has been repaid with accrued and accruing interest as
 33 provided in this subchapter, the total amount of state assistance shall be
 34 fixed at not to exceed one-half (1/2) of the additional state sales tax
 35 revenues and additional state income tax revenues estimated to be generated by
 36 the eligible facilities to be calculated in the same manner as calculated

1 prior to the bonds issued to finance the eligible facilities being fully
2 retired or the investment of the city or county of its revenues in the
3 eligible facilities being repaid with accrued and accruing interest as
4 provided by this subchapter."

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6 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
7 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~Arkansas~~
8 ~~Code 14-171-212(a) is hereby amended to read as follows:~~ CITY-COUNTY TOURIST
9 FACILITIES - QUARTERLY PAYMENTS.

10 "(a) The State Treasurer shall monthly, before making the percentage
11 distributions of general revenues as provided by law, deduct from the General
12 Revenue Fund Account of the State Apportionment Fund an amount of moneys
13 necessary to meet the quarterly payments to cities and counties that are
14 parties to an agreement with the state entered into pursuant to 14-171-204 -
15 14-171-210 and shall credit them to the City-County Tourist Facilities Aid
16 Fund and shall quarterly pay over the amounts to each city and county,
17 provided that the General Assembly shall have approved such payments and
18 appropriated funds for them."

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20 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
21 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~Arkansas Code~~
22 ~~14-171-213(a) is hereby amended to read as follows:~~ CITY-COUNTY TOURIST
23 FACILITIES - FINANCE BOARD CERTIFICATION.

24 "(a) The State Board of Finance shall certify to the State Treasurer the
25 amount of assistance to each city or county, for paying debt service on the
26 bonds issued to finance, in whole or in part, or for the expenditures relating
27 to, the eligible facilities for which the board has, on behalf of the state,
28 entered into an agreement providing for the payment of the amounts so fixed in
29 quarterly payments to each city or county."

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31 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
32 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~Arkansas Code~~
33 ~~14-171-215(d) is hereby amended to read as follows:~~ CITY-COUNTY TOURIST
34 FACILITIES - CONTINUING ASSISTANCE.

35 "(d) When the bonds issued to finance the eligible facilities are fully
36 retired or the investment of the city or county of its revenues in the

1 eligible facilities has been repaid with accrued and accruing interest as
2 provided in this subchapter, the city or county may continue to apply to the
3 State Board of Finance for continuing state assistance in paying the costs of
4 expenditures relating to the eligible facilities to be used by the city or
5 county for advertising and promotion.”

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7 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
8 this act shall be limited to the appropriation for such agency and funds made
9 available by law for the support of such appropriations; and the restrictions
10 of the State Purchasing Law, the General Accounting and Budgetary Procedures
11 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
12 Restrictions Act, or their successors, and other fiscal control laws of this
13 State, where applicable, and regulations promulgated by the Department of
14 Finance and Administration, as authorized by law, shall be strictly complied
15 with in disbursement of said funds.

16
17 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly
18 that any funds disbursed under the authority of the appropriations contained
19 in this act shall be in compliance with the stated reasons for which this act
20 was adopted, as evidenced by the Agency Requests, Executive Recommendations
21 and Legislative Recommendations contained in the budget manuals prepared by
22 the Department of Finance and Administration, letters, or summarized oral
23 testimony in the official minutes of the Arkansas Legislative Council or Joint
24 Budget Committee which relate to its passage and adoption.

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26 SECTION 10. CODE. All provisions of this Act of a general and permanent
27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
28 Code Revision Commission shall incorporate the same in the Code.

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30 SECTION 11. SEVERABILITY. If any provision of this act or the application
31 thereof to any person or circumstance is held invalid, such invalidity shall
32 not affect other provisions or applications of the act which can be given
33 effect without the invalid provision or application, and to this end the
34 provisions of this act are declared to be severable.

35
36 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict with

1 this act are hereby repealed.

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3 SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the

4 Eighty-second General Assembly, that the Constitution of the State of Arkansas

5 prohibits the appropriation of funds for more than a two (2) year period; that

6 the effectiveness of this Act on July 1, 1999 is essential to the operation of

7 the agency for which the appropriations in this Act are provided, and that in

8 the event of an extension of the Regular Session, the delay in the effective

9 date of this Act beyond July 1, 1999 could work irreparable harm upon the

10 proper administration and provision of essential governmental programs.

11 Therefore, an emergency is hereby declared to exist and this Act being

12 necessary for the immediate preservation of the public peace, health and

13 safety shall be in full force and effect from and after July 1, 1999.

14
15 /s/ Russ

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18 APPROVED: 3/17/1999