

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**SENATE BILL 188**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR STATE TURNBACK FOR  
9 COUNTIES AND MUNICIPALITIES FOR THE BIENNIAL PERIOD ENDING  
10 JUNE 30, 1993; AND FOR OTHER PURPOSES."

11

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

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14 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Office  
15 of the Treasurer of State, to be payable from the County Aid Fund, for the  
16 purpose of distributing General Revenues accruing therein for the benefit of  
17 counties, as provided by law, by the Office of the Treasurer of State for the  
18 biennial period ending June 30, 1993, the following:

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20 ITEM	FISCAL YEARS	
21 NO.	1991-92	1992-93
22 (01) GENERAL REVENUES - COUNTIES	<u>\$ 21,552,313</u>	<u>\$ 21,552,313</u>

23

24 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Office  
25 of the Treasurer of State, to be payable from the County Aid Fund, for the  
26 purpose of distributing any monies provided by Highway Turnback, Severance  
27 Taxes to Counties, and any other monies provided by Acts of the General  
28 Assembly for the benefit of counties by the Office of the Treasurer of State  
29 for the biennial period ending June 30, 1993, the following:

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31 ITEM	FISCAL YEARS	
32 NO.	1991-92	1992-93
33 (01) SPECIAL REVENUES - COUNTIES	<u>\$ 65,000,000</u>	<u>\$ 65,000,000</u>

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35 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Office

1 of the Treasurer of State, to be payable from the County Aid Fund, from monies  
2 received from the sale or lease of minerals, oil and gas on federal military  
3 lands to the County Road Fund of the counties to which such monies are  
4 allocated by law, for the biennial period ending June 30, 1993, the sum  
5 of.....\$1,500,000.

7 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the Office  
8 of the Treasurer of State, to be payable from the County Aid Fund, from monies  
9 received from the sale or lease of minerals, oil and gas on federal military  
10 lands to the County Treasurer of the counties to which such monies are  
11 allocated by law, for distribution to the various taxing units of said county  
12 as provided by law, for the biennial period ending June 30, 1993, the sum of  
13 .....\$2,500,000.

15 SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the Office  
16 of the Treasurer of State, to be payable from the County Aid Fund, from  
17 unanticipated monies received from the sale or lease of minerals, oil and gas  
18 on federal military lands or from other unanticipated special revenues, for  
19 the transfer to those counties to which such monies are allocated by law, for  
20 the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) UNANTICIPATED SPECIAL REVENUES	<u>\$ 20,000,000</u>	<u>\$ 20,000,000</u>

26 SECTION 6. APPROPRIATIONS. There is hereby appropriated, to the Office  
27 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the  
28 purpose of distributing General Revenues accruing therein for the benefit of  
29 municipalities, as provided by law, by the Office of the Treasurer of State  
30 for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) GENERAL REVENUES - CITIES	<u>\$ 30,136,193</u>	<u>\$ 30,136,193</u>

36 SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the Office

1 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the  
2 purpose of distributing Special Revenues accruing therein for the benefit of  
3 municipalities, as provided by law, by the Office of the Treasurer of State  
4 for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) SPECIAL REVENUES - CITIES	<u>\$ 50,000,000</u>	<u>\$ 50,000,000</u>

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

15 SECTION 9. The appropriation authorized in Sections 3 and 4 of this Act  
16 or any other appropriation as provided by the General Assembly for aid to  
17 counties may be supplemented, if necessary, by a transfer from the  
18 appropriation provided for in Section 5 of this Act.

20 SECTION 10. On July 1 of each fiscal year of the biennial period ending  
21 June 30, 1993, the Chief Fiscal Officer of the State shall request a transfer  
22 by the State Treasurer from the Budget Stabilization Trust Fund to the County  
23 Aid Fund and to the Municipal Aid Fund to assist the various cities and  
24 counties in meeting cash flow needs early in the state fiscal year. The  
25 transfer shall be a loan to be repaid in equal installments from general  
26 revenue distributions each month during the fiscal year for which the loan was  
27 made and shall be in addition to any other loans authorized by law for the  
28 County Aid and Municipal Aid Funds. The amount of such loan for each fiscal  
29 year shall be \$3,517,657 to the Municipal Aid Fund and \$1,906,079 to the  
30 County Aid Fund, or so much thereof as may be available in the Budget  
31 Stabilization Trust Fund as determined by the Chief Fiscal Officer of the  
32 State. Upon such transfer being completed, the State Treasurer shall  
33 immediately distribute such funds to each of the several municipalities and  
34 counties in the same manner as general revenues are distributed.

35 It is the intent of the General Assembly that the Chief Fiscal Officer

1 of the State and the State Treasurer shall make every reasonable, and  
2 financially sound effort to insure that local governments receive the full  
3 amount of the loan authorized herein on July 1 of each year and that the  
4 monies authorized for local governments from general revenues be distributed  
5 in equal monthly payments.

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

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17       SECTION 12. LEGISLATIVE INTENT. It is the intent of the General  
18 Assembly that any funds disbursed under the authority of the appropriations  
19 contained in this Act shall be in compliance with the stated reasons for which  
20 this Act was adopted, as evidenced by the Agency Requests, Executive  
21 Recommendations and Legislative Recommendations contained in the budget  
22 manuals prepared by the Department of Finance and Administration, letters, or  
23 summarized oral testimony in the official minutes of the Arkansas Legislative  
24 Council or Joint Budget Committee which relate to its passage and adoption.

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26       SECTION 13. CODE. All provisions of this Act of a general and  
27 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
28 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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30       SECTION 14. SEVERABILITY. If any provision of this Act or the  
31 application thereof to any person or circumstance is held invalid, such  
32 invalidity shall not affect other provisions or applications of the Act which  
33 can be given effect without the invalid provision or application, and to this  
34 end the provisions of this Act are declared to be severable.

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1           SECTION 15. GENERAL REPEALER. All laws and parts of laws in conflict  
2 with this Act are hereby repealed.

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4           SECTION 16. HEALTH PREMIUMS. The Office of the Treasurer of State  
5 shall not, during the 1992-93 fiscal year, spend more for health insurance per  
6 employee than the amount being contributed to the State Employees Health  
7 Insurance Program.

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9           SECTION 17. EMERGENCY CLAUSE. It is hereby found and determined by the  
10 Seventy-Eighth General Assembly, that the Constitution of the State of  
11 Arkansas prohibits the appropriation of funds for more than a two (2) year  
12 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
13 operation of the agency for which the appropriations in this Act are provided,  
14 and that in the event of an extension of the Regular Session, the delay in the  
15 effective date of this Act beyond July 1, 1991 could work irreparable harm  
16 upon the proper administration and provision of essential governmental  
17 programs. Therefore, an emergency is hereby declared to exist and this Act  
18 being necessary for the immediate preservation of the public peace, health and  
19 safety shall be in full force and effect from and after July 1, 1991.

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*/s/Joint Budget Committee*

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