

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL 108

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, 1995; AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT FOR THE STATE TURNBACK FOR COUNTIES AND
14 MUNICIPALITIES APPROPRIATION."

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

18 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Office
19 of the Treasurer of State, to be payable from the County Aid Fund, for the
20 purpose of distributing General Revenue accruing therein for the benefit of
21 counties, as provided by law, by the Office of the Treasurer of State for the
22 biennial period ending June 30, 1995, the following:

ITEM	FISCAL YEARS	
NO.	1993-94	1994-95
(01) GENERAL REVENUES - COUNTIES	<u>\$ 21,552,313</u>	<u>\$ 21,552,313</u>

27 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Office
28 of the Treasurer of State, to be payable from the County Aid Fund, for the
29 purpose of distributing any monies provided by Highway Turnback, Severance
30 Taxes to Counties, and any other monies provided by Acts of the General
31 Assembly for the benefit of counties by the Office of the Treasurer of State
32 for the biennial period ending June 30, 1995, the following:

ITEM	FISCAL YEARS	
NO.	1993-94	1994-95

1 (01) SPECIAL REVENUES - COUNTIES \$ 100,000,000 \$ 100,000,000

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3 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Office
4 of the Treasurer of State, to be payable from the County Aid Fund, from monies
5 received from the sale or lease of minerals, oil and gas on federal military
6 lands to the County Road Fund of the counties to which such monies are
7 allocated by law, for the biennial period ending June 30, 1995, the sum
8 of \$1,500,000.

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10 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the Office
11 of the Treasurer of State, to be payable from the County Aid Fund, from monies
12 received from the sale or lease of minerals, oil and gas on federal military
13 lands to the County Treasurer of the counties to which such monies are
14 allocated by law, for distribution to the various taxing units of said county
15 as provided by law, for the biennial period ending June 30, 1995, the sum
16 of \$2,500,000.

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18 SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the Office
19 of the Treasurer of State, to be payable from the County Aid Fund, from
20 unanticipated monies received from the sale or lease of minerals, oil and gas
21 on federal military lands or from other unanticipated special revenues, for
22 the transfer to those counties to which such monies are allocated by law, for
23 the biennial period ending June 30, 1995, the following:

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ITEM	FISCAL YEARS	
NO.	1993-94	1994-95
(01) UNANTICIPATED SPECIAL REVENUES	<u>\$ 20,000,000</u>	<u>\$ 20,000,000</u>

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29 SECTION 6. APPROPRIATIONS. There is hereby appropriated, to the Office
30 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the
31 purpose of distributing General Revenues accruing therein for the benefit of
32 municipalities, as provided by law, by the Office of the Treasurer of State
33 for the biennial period ending June 30, 1995, the following:

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35 ITEM FISCAL YEARS

1	NO.		1993-94	1994-95
2	(01) GENERAL REVENUES - CITIES		<u>\$ 30,136,193</u>	<u>\$ 30,136,193</u>

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4 SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the Office
5 of the Treasurer of State, to be payable from the Municipal Aid Fund, for
6 distributing Special Revenues accruing therein for the benefit of
7 municipalities, as provided by law, by the Office of the Treasurer of State
8 ~~for the biennial period ending June 30, 1995, the following:~~

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10	ITEM		FISCAL YEARS	
11	NO.		1993-94	1994-95
12	(01) SPECIAL REVENUES - CITIES		<u>\$ 100,000,000</u>	<u>\$ 100,000,000</u>

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

18

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

23

24 SECTION 10. On July 1 of each fiscal year of the biennial period ending
25 June 30, 1995, the Chief Fiscal Officer of the State shall request a transfer
26 by the State Treasurer from the Budget Stabilization Trust Fund to the County
27 Aid Fund and to the Municipal Aid Fund to assist the various cities and
28 counties in meeting cash flow needs early in the state fiscal year. The
29 transfer shall be a loan to be repaid in equal installments from general
30 revenue distributions each month during the fiscal year for which the loan was
31 made and shall be in addition to any other loans authorized by law for the
32 County Aid and Municipal Aid Funds. The amount of such loan for each fiscal
33 year shall be \$3,517,657 to the Municipal Aid Fund and \$1,906,079 to the
34 ~~County Aid Fund, or so much thereof as may be available in the Budget~~
35 Stabilization Trust Fund as determined by the Chief Fiscal Officer of the

1 State. Upon such transfer being completed, the State Treasurer shall
2 immediately distribute such funds to each of the several municipalities and
3 counties in the same manner as general revenues are distributed.

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

10

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

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

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

33

34 SECTION 14. SEVERABILITY. If any provision of this Act or the
35 application thereof to any person or circumstance is held invalid, such

1 invalidity shall not affect other provisions or applications of the Act which
2 can be given effect without the invalid provision or application, and to this
3 end the provisions of this Act are declared to be severable.

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

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8 SECTION 16. EMERGENCY CLAUSE. It is hereby found and determined by the
9 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
10 prohibits the appropriation of funds for more than a two (2) year period; that
11 the effectiveness of this Act on July 1, 1993 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the Regular Session, the delay in the effective
14 date of this Act beyond July 1, 1993 could work irreparable harm upon the
15 proper administration and provision of essential governmental programs.
16 Therefore, an emergency is hereby declared to exist and this Act being
17 necessary for the immediate preservation of the public peace, health and
18 safety shall be in full force and effect from and after July 1, 1993.

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/s/ Senator Russ

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