

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

A BILL ACT 171 OF 1991
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:

19
20 ITEM FISCAL YEARS
21 ~~NO. 1991-92 1992-93~~
22 (01) GENERAL REVENUES - COUNTIES \$ 21,552,313 \$ 21,552,313

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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 \$ 65,000,000 \$ 65,000,000

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35 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Office
36 of the Treasurer of State, to be payable from the County Aid Fund, from monies

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

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

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

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

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

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

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35 SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the Office
36 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the

1 purpose of distributing Special Revenues accruing therein for the benefit of
2 municipalities, as provided by law, by the Office of the Treasurer of State
3 for the biennial period ending June 30, 1993, the following:

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

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

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

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

34 It is the intent of the General Assembly that the Chief Fiscal Officer
35 of the State and the State Treasurer shall make every reasonable, and

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

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

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

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

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

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35 SECTION 15. GENERAL REPEALER. All laws and parts of laws in conflict

1 with this Act are hereby repealed.

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

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

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/s/Joint Budget Committee

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APPROVED: 2-18-91

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