

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

# A Bill

**ACT 417 OF 1993**  
**SENATE BILL 108**

## For An Act To Be Entitled

"AN ACT TO MAKE AN APPROPRIATION FOR STATE TURNBACK FOR  
COUNTIES AND MUNICIPALITIES FOR THE BIENNIAL PERIOD ENDING  
JUNE 30, 1995; AND FOR OTHER PURPOSES."

## Subtitle

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

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 Revenue 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, 1995, the following:

ITEM	FISCAL YEARS	
	1993-94	1994-95
(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, 1995, the following:

ITEM	FISCAL YEARS	
	1993-94	1994-95
(01) SPECIAL REVENUES - COUNTIES	\$ 100,000,000	\$ 100,000,000

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

8

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

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17 SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the Office  
18 of the Treasurer of State, to be payable from the County Aid Fund, from  
19 unanticipated monies received from the sale or lease of minerals, oil and gas  
20 on federal military lands or from other unanticipated special revenues, for  
21 the transfer to those counties to which such monies are allocated by law, for  
22 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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28 SECTION 6. APPROPRIATIONS. There is hereby appropriated, to the Office  
29 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the  
30 purpose of distributing General Revenues accruing therein for the benefit of  
31 municipalities, as provided by law, by the Office of the Treasurer of State  
32 for the biennial period ending June 30, 1995, the following:

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ITEM	FISCAL YEARS	
NO.	1993-94	1994-95

35

1 (01) GENERAL REVENUES - CITIES \$ 30,136,193 \$ 30,136,193

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

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

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

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

22

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

1 immediately distribute such funds to each of the several municipalities and  
2 counties in the same manner as general revenues are distributed.

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

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

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

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

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33       SECTION 14. SEVERABILITY. If any provision of this Act or the  
34 application thereof to any person or circumstance is held invalid, such  
35 invalidity shall not affect other provisions or applications of the Act which

1 can be given effect without the invalid provision or application, and to this  
2 end the provisions of this Act are declared to be severable.

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

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7 SECTION 16. EMERGENCY CLAUSE. It is hereby found and determined by the  
8 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
9 prohibits the appropriation of funds for more than a two (2) year period; that  
10 the effectiveness of this Act on July 1, 1993 is essential to the operation of  
11 the agency for which the appropriations in this Act are provided, and that in  
12 the event of an extension of the Regular Session, the delay in the effective  
13 date of this Act beyond July 1, 1993 could work irreparable harm upon the  
14 proper administration and provision of essential governmental programs.  
15 Therefore, an emergency is hereby declared to exist and this Act being  
16 necessary for the immediate preservation of the public peace, health and  
17 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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APPROVED: 03/10/93

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