

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 1027 OF 1995
SENATE BILL 225

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, 1997; AND FOR OTHER PURPOSES."

Subtitle

"AN ACT FOR THE STATE TURNBACK FOR
COUNTIES AND MUNICIPALITIES
APPROPRIATION FOR THE 1995-97 BIENNIUM."

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, 1997, the following:

ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01) GENERAL REVENUES -- COUNTIES	<u>\$ 21,552,313</u>	<u>\$ 21,552,313</u>

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, 1997, the following:

ITEM	FISCAL YEARS	
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NO.	1995-96	1996-97
(01) SPECIAL REVENUES -- COUNTIES	<u>\$ 100,000,000</u>	<u>\$ 100,000,000</u>

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the County Aid Fund, from monies received from the sale or lease of minerals, oil and gas on federal military lands to the County Road Fund of the counties to which such monies are allocated by law, for the biennial period ending June 30, 1997, the sum of. \$1,500,000.

SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the County Aid Fund, from monies received from the sale or lease of minerals, oil and gas on federal military lands to the County Treasurer of the counties to which such monies are allocated by law, for distribution to the various taxing units of said county as provided by law, for the biennial period ending June 30, 1997, the sum of. \$2,500,000.

SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the County Aid Fund, from unanticipated monies received from the sale or lease of minerals, oil and gas on federal military lands or from other unanticipated special revenues, for the transfer to those counties to which such monies are allocated by law, for the biennial period ending June 30, 1997, the following:

ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01) UNANTICIPATED SPECIAL REVENUES	<u>\$ 20,000,000</u>	<u>\$ 20,000,000</u>

SECTION 6. APPROPRIATIONS. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the Municipal Aid Fund, for the purpose of distributing General Revenue accruing therein for the benefit of municipalities, as provided by law, by the Office of the Treasurer of State, for the biennial period ending June 30, 1997, the following:

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ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01) GENERAL REVENUES -- CITIES	<u>\$ 33,120,041</u>	<u>\$ 33,120,041</u>

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6 SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the Office
7 of the Treasurer of State, to be payable from the Municipal Aid Fund, for
8 distributing Special Revenues accruing therein for the benefit of
9 municipalities, as provided by law, by the Office of the Treasurer of State
10 for the biennial period ending June 30, 1997, the following:

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ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01) SPECIAL REVENUES -- CITIES	<u>\$ 100,000,000</u>	<u>\$ 100,000,000</u>

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16 SECTION 8. The appropriation authorized in Sections 3 and 4 of this Act
17 or any other appropriation as provided by the General Assembly for aid to
18 counties may be supplemented, if necessary, by a transfer from the
19 appropriation provided for in Section 5 of this Act.

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21 SECTION 9. On July 1 of each fiscal year of the biennial period ending
22 June 30, 1997, the Chief Fiscal Officer of the State shall request a transfer
23 by the State Treasurer from the Budget Stabilization Trust Fund to the County
24 Aid Fund and to the Municipal Aid Fund to assist the various cities and
25 counties in meeting cash flow needs early in the state fiscal year. The
26 transfer shall be a loan to be repaid in equal installments from general
27 revenue distributions each month during the fiscal year for which the loan was
28 made and shall be in addition to any other loans authorized by law for the
29 County Aid and Municipal Aid Funds. The amount of such loan for each fiscal
30 year shall be \$3,517,657 to the Municipal Aid Fund and \$1,906,079 to the
31 County Aid Fund, or so much thereof as may be available in the Budget
32 Stabilization Trust Fund as determined by the Chief Fiscal Officer of the
33 State. Upon such transfer being completed, the State Treasurer shall
34 immediately distribute such funds to each of the several municipalities and
35 counties in the same manner as general revenues are distributed.

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

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

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

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

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

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

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

SECTION 16. EMERGENCY CLAUSE. It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995.

/s/Russ

APPROVED: 4-10-95

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