

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

# A Bill

**ACT 1156 OF 1995**  
**SENATE BILL 305**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR MAKING PAYMENTS FOR  
9 CITY-COUNTY TOURIST FACILITIES REQUIRED BY THE STATE BOARD  
10 OF FINANCE BY ARKANSAS CODE §§14-171-201 ET. SEQ., FOR THE  
11 BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER  
12 PURPOSES."

## Subtitle

15 "AN ACT FOR THE OFFICE OF THE TREASURER  
16 OF STATE APPROPRIATION FOR THE 1995-97  
17 BIENNIUM."

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20  
21 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Office  
22 of the Treasurer of State, to be payable from the City-County Tourist  
23 Facilities Aid Fund, for making payments as authorized by law for publicly  
24 owned eligible facilities, as authorized by Arkansas Code §§14-171-201 et.  
25 seq., for the biennial period ending June 30, 1997, the following:

27 ITEM	28 FISCAL YEARS	
	<del>1995-96</del>	<del>1996-97</del>
29 (01) FACILITY DEBT SERVICES AND OPERATING EXPENSES	\$ <u>5,600,000</u>	\$ <u>5,600,000</u>

30  
31 SECTION 2. Arkansas Code §14-171-202(7) is hereby amended to read as  
32 follows:

33 "(7) It is in the interest of both the state and its cities and counties  
34 for the state to assist any city or county in financing construction of and  
35 expenditures relating to tourist meeting facilities and tourist entertainment  
36 facilities by continuing to pay to the city or county a portion of the

1 increased state sales tax revenues and state income tax revenues attributable  
2 to them, as is provided in this subchapter."

3

4 SECTION 3. Arkansas Code §14-171-203(9) and §14-171-203(14) are hereby  
5 repealed.

6

7 SECTION 4. Arkansas Code §14-171-210(c)(2) is hereby amended to read as  
8 follows:

9 "(2) In the case bonds issued to finance the eligible facilities are  
10 fully retired or the investment of the city or county of its revenue in the  
11 eligible facilities has been repaid with accrued and accruing interest as  
12 provided in this subchapter, the total amount of state assistance shall be  
13 fixed at not to exceed one-half (1/2) of the additional state sales tax  
14 revenues and additional state income tax revenues estimated to be generated by  
15 the eligible facilities to be calculated in the same manner as calculated  
16 prior to the bonds issued to finance the eligible facilities being fully  
17 retired or the investment of the city or county of its revenues in the  
18 eligible facilities being repaid with accrued and accruing interest as  
19 provided by this subchapter."

20

21 SECTION 5. Arkansas Code §14-171-212(a) is hereby amended to read as  
22 follows:

23 "(a) The State Treasurer shall monthly, before making the percentage  
24 distributions of general revenues as provided by law, deduct from the General  
25 Revenue Fund Account of the State Apportionment Fund an amount of moneys  
26 necessary to meet the quarterly payments to cities and counties that are  
27 parties to an agreement with the state entered into pursuant to §§14-171-204 -  
28 14-171-210 and shall credit them to the City-County Tourist Facilities Aid  
29 Fund and shall quarterly pay over the amounts to each city and county,  
30 provided that the General Assembly shall have approved such payments and  
31 appropriated funds for them."

32

33 SECTION 6. Arkansas Code §14-171-213(a) is hereby amended to read as  
34 follows:

35 "(a) The State Board of Finance shall certify to the State Treasurer the

1 amount of assistance to each city or county, for paying debt service on the  
2 bonds issued to finance, in whole or in part, or for the expenditures relating  
3 to, the eligible facilities for which the board has, on behalf of the state,  
4 entered into an agreement providing for the payment of the amounts so fixed in  
5 quarterly payments to each city or county."

6

7 SECTION 7. Arkansas Code §14-171-215(d) is hereby amended to read as  
8 follows:

9 "(d) When the bonds issued to finance the eligible facilities are fully  
10 retired or the investment of the city or county of its revenues in the  
11 eligible facilities has been repaid with accrued and accruing interest as  
12 provided in this subchapter, the city or county may continue to apply to the  
13 State Board of Finance for continuing state assistance in paying the costs of  
14 expenditures relating to the eligible facilities to be used by the city or  
15 county for advertising and promotion.

16

17 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
18 authorized by this Act shall be limited to the appropriation for such agency  
19 and funds made available by law for the support of such appropriations; and  
20 the restrictions of the State Purchasing Law, the General Accounting and  
21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
22 Procedures and Restrictions Act, or their successors, and other fiscal control  
23 laws of this State, where applicable, and regulations promulgated by the  
24 Department of Finance and Administration, as authorized by law, shall be  
25 strictly complied with in disbursement of said funds.

26

27 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General  
28 Assembly that any funds disbursed under the authority of the appropriations  
29 contained in this Act shall be in compliance with the stated reasons for which  
30 this Act was adopted, as evidenced by the Agency Requests, Executive  
31 Recommendations and Legislative Recommendations contained in the budget  
32 manuals prepared by the Department of Finance and Administration, letters, or  
33 summarized oral testimony in the official minutes of the Arkansas Legislative  
34 Council or Joint Budget Committee which relate to its passage and adoption.

35

1 SECTION 10. CODE. All provisions of this Act of a general and  
2 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the  
3 Arkansas Code Revision Commission shall incorporate the same in the Code.

4  
5 SECTION 11. SEVERABILITY. If any provision of this Act or the  
6 application thereof to any person or circumstance is held invalid, such  
7 invalidity shall not affect other provisions or applications of the Act which  
8 can be given effect without the invalid provision or application, and to this  
9 end the provisions of this Act are declared to be severable.

10

11 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict  
12 with this Act are hereby repealed.

13

14 SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the  
15 Eightieth General Assembly, that the Constitution of the State of Arkansas  
16 prohibits the appropriation of funds for more than a two (2) year period; that  
17 the effectiveness of this Act on July 1, 1995 is essential to the operation of  
18 the agency for which the appropriations in this Act are provided, and that in  
19 the event of an extension of the Regular Session, the delay in the effective  
20 date of this Act beyond July 1, 1995 could work irreparable harm upon the  
21 proper administration and provision of essential governmental programs.  
22 Therefore, an emergency is hereby declared to exist and this Act being  
23 necessary for the immediate preservation of the public peace, health and  
24 safety shall be in full force and effect from and after July 1, 1995.

25

*/s/Russ*

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APPROVED: 4-11-95

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***As Engrossed: 3/10/95***

**SB 305**

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