

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: S2/14/97

# A Bill

ACT 753 OF 1997  
SENATE BILL 118

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR MAKING PAYMENTS FOR  
10 CITY-COUNTY TOURIST FACILITIES REQUIRED BY THE STATE BOARD  
11 OF FINANCE BY ARKANSAS CODE §§14-171-201 ET SEQ., FOR THE  
12 BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR OTHER  
13 PURPOSES."  
14

## Subtitle

15 "AN ACT FOR THE OFFICE OF THE TREASURER  
16 OF STATE APPROPRIATION FOR THE 1997-99  
17 BIENNIUM."  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Office  
23 of the Treasurer of State, to be payable from the City-County Tourist  
24 Facilites Aid Fund, for making payments as authorized by law for publicly  
25 owned eligible facilities as authorized by Arkansas Code §§14-171-201 et seq.,  
26 for the biennial period ending June 30, 1999, the following:  
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28 ITEM	29 FISCAL YEARS	
	<del>1997-98</del>	<del>1998-99</del>
30 (01) FACILITY DEBT SERVICES AND		
31 OPERATING EXPENSES	<u>\$ 6,000,000</u>	<u>\$ 6,000,000</u>

32  
33 SECTION 2. Arkansas Code §14-171-203(3) and (7) are amended to read as  
34 follows:

35 (3) "City" means any city of the first or second class in this state  
36 and also means the War Memorial Stadium Commission, Arkansas Livestock and

1 Poultry Commission, the Arkansas State Fair and Livestock Show Association,  
2 and the Four States' Fair in Texarkana, Arkansas.;'

3 (7) "Eligible facilities' means any publicly owned tourist meeting  
4 facilities or tourist entertainment facilities acquired or completed, or  
5 substantially reconstructed or expanded, after December 31, 1974 and also  
6 means War Memorial Stadium ~~and~~ the facilities on the Arkansas State  
7 Fairgrounds in Little Rock, Arkansas, and the facilities of the Four States'  
8 Fair in Texarkana, Arkansas. Manufacturing facilities are specifically  
9 excluded from this definition;"

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11 SECTION 3. SPECIAL LANGUAGE. Arkansas Code §14-171-202(7) is hereby  
12 amended to read as follows:

13 "(7) It is in the interest of both the state and its cities and counties  
14 for the state to assist any city or county in financing construction of and  
15 expenditures relating to tourist meeting facilities and tourist entertainment  
16 facilities by continuing to pay to the city or county a portion of the  
17 increased state sales tax revenues and state income tax revenues attributable  
18 to them, as is provided in this subchapter."

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20 SECTION 4. SPECIAL LANGUAGE. Arkansas Code §14-171-210(c)(2) is hereby  
21 amended to read as follows:

22 "(2) In the case bonds issued to finance the eligible facilities are  
23 fully retired or the investment of the city or county of its revenue in the  
24 eligible facilities has been repaid with accrued and accruing interest as  
25 provided in this subchapter, the total amount of state assistance shall be  
26 fixed at not to exceed one-half (1/2) of the additional state sales tax  
27 revenues and additional state income tax revenues estimated to be generated by  
28 the eligible facilities to be calculated in the same manner as calculated  
29 prior to the bonds issued to finance the eligible facilities being fully  
30 retired or the investment of the city or county of its revenues in the  
31 eligible facilities being repaid with accrued and accruing interest as  
32 provided by this subchapter."

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34 SECTION 5. SPECIAL LANGUAGE. Arkansas Code §14-171-212(a) is hereby  
35 amended to read as follows:

1           "(a) The State Treasurer shall monthly, before making the percentage  
2 distributions of general revenues as provided by law, deduct from the General  
3 Revenue Fund Account of the State Apportionment Fund an amount of moneys  
4 necessary to meet the quarterly payments to cities and counties that are  
5 parties to an agreement with the state entered into pursuant to §§14-171-204 -  
6 14-171-210 and shall credit them to the City-County Tourist Facilities Aid  
7 Fund and shall quarterly pay over the amounts to each city and county,  
8 provided that the General Assembly shall have approved such payments and  
9 appropriated funds for them."

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11           SECTION 6. SPECIAL LANGUAGE. Arkansas Code §14-171-213(a) is hereby  
12 amended to read as follows:

13           "(a) The State Board of Finance shall certify to the State Treasurer the  
14 amount of assistance to each city or county, for paying debt service on the  
15 bonds issued to finance, in whole or in part, or for the expenditures relating  
16 to, the eligible facilities for which the board has, on behalf of the state,  
17 entered into an agreement providing for the payment of the amounts so fixed in  
18 quarterly payments to each city or county."

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

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

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30           SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
31 authorized by this Act shall be limited to the appropriation for such agency  
32 and funds made available by law for the support of such appropriations; and  
33 the restrictions of the State Purchasing Law, the General Accounting and  
34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
35 Procedures and Restrictions Act, or their successors, and other fiscal control

1 laws of this State, where applicable, and regulations promulgated by the  
2 Department of Finance and Administration, as authorized by law, shall be  
3 strictly complied with in disbursement of said funds.

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

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

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18 SECTION 11. SEVERABILITY. If any provision of this Act or the  
19 application thereof to any person or circumstance is held invalid, such  
20 invalidity shall not affect other provisions or applications of the Act which  
21 can be given effect without the invalid provision or application, and to this  
22 end the provisions of this Act are declared to be severable.

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

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27 SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the  
28 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
29 prohibits the appropriation of funds for more than a two (2) year period; that  
30 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
31 the agency for which the appropriations in this Act are provided, and that in  
32 the event of an extension of the Regular Session, the delay in the effective  
33 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
34 proper administration and provision of essential governmental programs.  
35 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and  
2 safety shall be in full force and effect from and after July 1, 1997.

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*/s/Russ et al*

APPROVED:3-24-97

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