

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Joint Budget Committee

SENATE BILL 218

"AN ACT TO ESTABLISH A FUND FOR THE DEPOSIT OF VARIOUS MONIES COLLECTED BY THE STATE OF ARKANSAS; TO PROVIDE FOR THE TRANSFER OF THESE MONIES TO VARIOUS FUNDS AND FUND ACCOUNTS IN THE REVENUE STABILIZATION LAW, AND FOR OTHER PURPOSES."

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

SECTION 1. There is hereby established on the books of the State Treasurer, State Auditor, and Chief Fiscal Officer of the State, a Fund to be known as the "76th Session Transfer Fund". Such Fund shall be used for fund transfers to the Public School Fund, the Department of Human Services Fund and the Department of Correction Inmate Care and Custody Fund Account, there to be used for the respective purposes as provided by law.

SECTION 2. (A) Any enactments of the Seventy-Sixth General Assembly which further reduces the retirement contribution made by the State for state employees who are employed by a state agency funded in whole or in part with general revenues, as provided by Act 994 of 1985, shall follow procedures as set out in this section and be implemented by the Chief Fiscal Officer of the State and the State Treasurer.

(1) Beginning the month after the month in which such reductions in retirement contributions occur, the Chief Fiscal Officer of the State shall determine the amount of such general revenue savings, by fund or fund account, based upon the previous month's payroll deductions for retirement contributions to the Public Employees Retirement System. Provided however, that the amount of savings for the month of June shall be determined by the Chief Fiscal Officer through estimation based on the May 30, 1987 savings in order for such June savings to be transferred during the fiscal year ending June 30, 1987.

(2) The Chief Fiscal Officer of the State shall then cause to be transferred on his books and those of the State Treasurer the amount of such general revenue savings from each affected fund or fund account to the 76th Session Transfer Fund, before the close of business on the last day of each month.

SECTION 3. Section 1.(d) of Act 887 of 1985 is hereby amended to read follows:

"(d) at the close of business on the last day of each month and ending June 30, 1987, the State Treasurer shall, after complying with provisions of Section 1 of Act 438 of 1979 for distributing interest income earned from investment of average daily balances of the "State Highway and Transportation Department Fund"; Act 327 of 1983 for distributing interest earned from investment of average daily balances of the 'Game Protection Fund'; and any other laws enacted by the Seventy-Fifth General Assembly for disposition of interest income earned from investment of 'average daily State Treasury balances'; credit to the 'State Budget Revolving Fund' fifty percent (50%) of the interest income received and credited to the 'Securities Reserve Fund' and credit to the 76th Session Transfer Fund fifty percent (50%) of the interest income received and credited to the 'Securities Reserve Fund', as certified by the Chief Fiscal Officer of the State."

SECTION 4. (A) On the last day of each month for the remainder of the fiscal year ending June 30, 1987, the State Treasurer, after making the deductions required from the "Net General Revenue", as set out in paragraph (b) of subsection (B) of Section 4 of Act 750 of 1973, as amended, [Ark. Stats. §13-510 (B)(b)], shall also deduct from said "Net General Revenue" such amounts as are determined and certified to by the Chief Fiscal Officer of the State to be "New Revenue". "New Revenue" shall consist of that amount of the "Net General Revenue" which was received during the month due solely to enactments of the Seventy-Sixth General Assembly. The State Treasurer shall transfer three percent (3%) of such "New Revenue" to the Constitutional and Fiscal Agencies Fund or its successor, and ninety-seven percent (97%) to the 76th Session Transfer Fund, created herein.

(1) If by enactment of the 76th General Assembly, the Gross Receipts

Tax exemption on the sale of cigarettes is repealed, the State Treasurer shall apply the provisions of Section 4 (A) herein to an amount of \$800,000 each month.

(2) If by enactment of the 76th General Assembly, the 2% discount for prompt payment of sales tax is suspended through June 30, 1987, the State Treasurer shall apply the provisions of Section 4 (A) herein to an amount of \$720,000 each month.

(3) If by enactment of the 76th General Assembly, the gross receipts tax on interstate telephone calls is effect, the State Treasurer shall apply the provisions of Section 4 (A) herein to an amount of \$200,000 each month.

SECTION 5. The balance remaining in the "75th Session Projects Account" on February 1, 1987 shall be transferred to the 76th Session Transfer Fund.

SECTION 6. On February 1, 1987 there shall be transferred from the "Motor Vehicle Acquisition Revolving Fund" to the 76th Session Transfer Fund an amount equaling \$500,000.

SECTION 7. Upon the passage and approval of this Act an amount equal to \$1,979,956 or so much thereof as may be made available, shall be transferred by the State Treasurer from the General Revenue Allotment Reserve Account to the 76th Session Transfer Fund.

SECTION 8. The State Treasurer shall at the same time as general revenues are distributed, transfer the total amount of funds as are accrued in the 76th Session Transfer Fund, to the Public School Fund, Department of Human Services Fund, and the Department of Correction Inmate Care and Custody Fund Account in the following proportions:

Public School Fund	56.60%
Department of Human Services Fund	38.25%
Dept. of Correction - Inmate Care & Custody Fund Account	5.15%
TOTAL	100.00%

SECTION 9. The provisions of this Act shall be in effect from its passage and approval until June 30, 1987.

SECTION 10. Emergency Clause. It is hereby found and determined by the General Assembly that the provisions of this Act are of critical importance to the provision of governmental goods and services to the people of the State of Arkansas. 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 its final passage and approval.

