

As Engrossed: 3/11/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL 1944

For An Act To Be Entitled

8 "AN ACT TO ALLOW THE WITHHOLDING AND TRANSFER OF TURNBACK
9 FUNDS OF AN ENTITY WITH OVERDUE LOANS AND FEES DUE THE
10 ARKANSAS SOIL AND WATER CONSERVATION COMMISSION; AND FOR
11 OTHER PURPOSES."

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

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15 SECTION 1. Should any city, town, county or political subdivision
16 receiving general revenue turnback funds, as defined in the Revenue
17 Stabilization Law, Title 19, Chapter 5 of the Arkansas Code, fail, neglect, or
18 refuse to pay for a period of more than ninety (90) days past the due date of
19 any loan payment or fee due the Arkansas Soil and Water Conservation
20 Commission, pursuant to any or all of the following statutes: (1) Arkansas
21 Waste Disposal and Pollution Abatement Facilities Financing Act of 1987,
22 A.C.A. § 15-22-701 et seq.; (2) Arkansas Water Resources Cost Share Finance
23 Act, A.C.A. § 15-22-801 et seq.; (3) Arkansas Water Resources Development Act
24 of 1981, A.C.A. § 15-22-601 et seq.; (4) The Water, Sewer, and Solid Waste
25 Management Systems Finance Act of 1975, A.C.A. § 14-230-101 et seq.; and (5)
26 The Arkansas Water Development Fund, A.C.A. § 15-22-507, rules promulgated or
27 agreements entered pursuant to any of the statutes, or fail to negotiate
28 repayment of loans made pursuant to the referenced statutes, the Commission
29 may, after notification to the city, town, county or political subdivision,
30 certify that amount of deficiencies to the State Treasurer, State Auditor, and
31 the Chief Fiscal Officer of the State.

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33 SECTION 2. Upon certification, the State Treasurer, the State Auditor
34 and the Chief Fiscal Officer of the State are hereby directed to withhold from
35 the city, town, county or other political subdivision's share of general

1 revenue turnback, the amount so certified as due the Commission and to
2 transfer such amount as directed by the Commission for use as provided by law.

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4 SECTION 3. All provisions of this Act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

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

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

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/s/John E. Miller

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