

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

A Bill

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

1 purpose of distributing General Revenue accruing therein for the benefit of
2 ~~municipalities, as provided by law, by the Office of the Treasurer of State,~~
3 for the biennial period ending June 30, 1997, the following:

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

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

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

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

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27 SECTION 9. On July 1 of each fiscal year of the biennial period ending
28 June 30, 1997, the Chief Fiscal Officer of the State shall request a transfer
29 by the State Treasurer from the Budget Stabilization Trust Fund to the County
30 Aid Fund and to the Municipal Aid Fund to assist the various cities and
31 counties in meeting cash flow needs early in the state fiscal year. The
32 transfer shall be a loan to be repaid in equal installments from general
33 revenue distributions each month during the fiscal year for which the loan
34 was made and shall be in addition to any other loans authorized by law for
35 the County Aid and Municipal Aid Funds. The amount of such loan for each

1 fiscal year shall be \$3,517,657 to the Municipal Aid Fund and \$1,906,079 to
2 the County Aid Fund, or so much thereof as may be available in the Budget
3 Stabilization Trust Fund as determined by the Chief Fiscal Officer of the
4 State. Upon such transfer being completed, the State Treasurer shall
5 immediately distribute such funds to each of the several municipalities and
6 counties in the same manner as general revenues are distributed.

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

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

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

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30 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General
31 Assembly that any funds disbursed under the authority of the appropriations
32 contained in this Act shall be in compliance with the stated reasons for
33 which this Act was adopted, as evidenced by the Agency Requests, Executive
34 Recommendations and Legislative Recommendations contained in the budget
35 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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

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/s/Russ

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