

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

# A Bill

SENATE BILL 305

## For An Act To Be Entitled

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

## Subtitle

"AN ACT FOR THE OFFICE OF THE TREASURER OF STATE 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 City-County Tourist Facilities Aid Fund, for making payments as authorized by law for publicly owned eligible facilities, as authorized by Arkansas Code §§14-171-201 et. seq., for the biennial period ending June 30, 1997, the following:

ITEM	FISCAL YEARS	
	1995-96	1996-97
NO.		
(01) FACILITY DEBT SERVICES AND OPERATING EXPENSES	\$ <u>5,600,000</u>	\$ <u>5,600,000</u>

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

"(7) It is in the interest of both the state and its cities and counties for the state to assist any city or county in financing construction of and

1 expenditures relating to tourist meeting facilities and tourist entertainment  
2 facilities by continuing to pay to the city or county a portion of the  
3 increased state sales tax revenues and state income tax revenues attributable  
4 to them, as is provided in this subchapter."  
5

6 SECTION 3. Arkansas Code §14-171-203(9) and §14-171-203(14) are hereby  
7 repealed.  
8

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

11 "(2) In the case bonds issued to finance the eligible facilities are  
12 fully retired or the investment of the city or county of its revenue in the  
13 eligible facilities has been repaid with accrued and accruing interest as  
14 provided in this subchapter, the total amount of state assistance shall be  
15 fixed at not to exceed one-half (1/2) of the additional state sales tax  
16 revenues and additional state income tax revenues estimated to be generated  
17 by the eligible facilities to be calculated in the same manner as calculated  
18 prior to the bonds issued to finance the eligible facilities being fully  
19 retired or the investment of the city or county of its revenues in the  
20 eligible facilities being repaid with accrued and accruing interest as  
21 provided by this subchapter."  
22

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

25 "(a) The State Treasurer shall monthly, before making the percentage  
26 distributions of general revenues as provided by law, deduct from the General  
27 Revenue Fund Account of the State Apportionment Fund an amount of moneys  
28 necessary to meet the quarterly payments to cities and counties that are  
29 parties to an agreement with the state entered into pursuant to §§14-171-204  
30 - 14-171-210 and shall credit them to the City-County Tourist Facilities Aid  
31 Fund and shall quarterly pay over the amounts to each city and county,  
32 provided that the General Assembly shall have approved such payments and  
33 appropriated funds for them."  
34

35 SECTION 6. Arkansas Code §14-171-213(a) is hereby amended to read as

1 follows:

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

8

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

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

18

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

28

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

1 Council or Joint Budget Committee which relate to its passage and adoption.

2

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

6

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

12

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

15

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

28

*/s/Russ*

29

30

31

32

33

34

35

- 1
- 2
- 3
- 4
- 5