

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

As Engrossed: H3/26/97

A Bill

HOUSE BILL 1865

4
5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR UNDERFUNDED ARKANSAS
9 MUNICIPAL FIRE AND POLICE RELIEF AND PENSION FUNDS FOR THE
10 DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING
11 OFFICER FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND
12 FOR OTHER PURPOSES."

Subtitle

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15 "AN ACT TO APPROPRIATE FUNDS FOR
16 UNDERFUNDED MUNICIPAL FIRE AND POLICE
17 RELIEF AND PENSION FUNDS FOR THE
18 DEPARTMENT OF FINANCE AND ADMINISTRATION
19 - DISBURSING OFFICER FOR THE 1997-99
20 BIENNIUM."
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. APPROPRIATIONS. *There is hereby appropriated, to the*
25 *Department of Finance and Administration - Disbursing Officer, to be payable*
26 *from the Arkansas Fire and Police Pension Guarantee Fund, for the purpose of*
27 *protecting members of underfunded Arkansas municipal fire and police relief*
28 *and pension funds, for the biennial period ending June 30, 1999, the*
29 *following:*

31 ITEM	FISCAL YEARS	
32 NO.	1997-98	1998-99
33 (1) GRANTS/AIDS	<u>\$ 3,000,000</u>	<u>\$ 3,000,000</u>

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35 SECTION 2. FUNDING TRANSFER. *On or before June 15 of each fiscal year,*
36 *the Arkansas Fire and Police Pension Review Board shall certify to the Chief*

1 Fiscal Officer of the State the amount of funding it recommends for
2 disbursement in the ensuing fiscal year to underfunded municipal fire and
3 police relief and pension plans as defined in Arkansas Code §24-11-209. The
4 Chief Fiscal Officer of the State shall then immediately transfer on his books
5 and those of the State Treasurer amounts not to exceed the total amount
6 recommended by the Board or the amount appropriated herein for the ensuing
7 fiscal Year, whichever is the lesser amount, from the Revenue Holding Fund
8 Account to the Arkansas Fire and Police Pension Guarantee Fund for
9 distribution to the recommended underfunded plans.

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11 SECTION 3. SPECIAL LANGUAGE. Funds distributed to underfunded local
12 pension programs through this appropriation shall not be used to enhance
13 benefits of the recipients.

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15 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
16 authorized by this Act shall be limited to the appropriation for such agency
17 and funds made available by law for the support of such appropriations; and
18 the restrictions of the State Purchasing Law, the General Accounting and
19 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
20 Procedures and Restrictions Act, or their successors, and other fiscal control
21 laws of this State, where applicable, and regulations promulgated by the
22 Department of Finance and Administration, as authorized by law, shall be
23 strictly complied with in disbursement of said funds.

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

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34 SECTION 6. CODE. All provisions of this Act of a general and permanent
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas

1 Code Revision Commission shall incorporate the same in the Code.

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

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9 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
10 with this Act are hereby repealed.

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12 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
13 Eighty-First General Assembly, that certain municipal fire and police relief
14 and pension plans are underfunded and in need of additional financial
15 assistance to maintain solvency; that the provisions of this Act will provide
16 the necessary resources for the Department of Finance and Administration to
17 assist the underfunded plans recommended by the Arkansas Fire and Police
18 Pension Review Board; and that a delay in the effective date of this Act could
19 work irreparable harm upon the proper administration and provision of
20 essential governmental programs. Therefore, an emergency is hereby declared
21 to exist and this Act being necessary for the immediate preservation of the
22 public peace, health and safety shall be in full force and effect from and
23 after the date of its passage and approval.

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/s/Joint Budget Committee

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