

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senators Bradford, Bookout, Chaffin and Pagan**

S.J.R.

5
6 **SENATE JOINT RESOLUTION**

7 PROPOSING A CONSTITUTIONAL AMENDMENT TO AMEND AMENDMENTS
8 30 AND 38 TO THE ARKANSAS CONSTITUTION TO ELIMINATE THE
9 ONE MILL CAP ON PROPERTY TAXES FOR CITY AND COUNTY
10 LIBRARIES AND TO ALLOW THE CITY AND COUNTY LIBRARY TAXES
11 TO BE PLEDGED TO RETIRE CAPITAL IMPROVEMENT BONDS.

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15 BE IT RESOLVED BY THE SENATE OF THE SEVENTY-EIGHTH GENERAL ASSEMBLY OF THE
16 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
17 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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19 That the following is hereby proposed as an amendment to the Constitution
20 of the state of Arkansas, and upon being submitted to the electors of the
21 state for approval or rejection at the next general election for Senators and
22 Representatives, if a majority of the electors voting thereon at such
23 election, adopt such amendment, the same shall become a part of the
24 Constitution of the state of Arkansas, to wit:

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26 SECTION 1. Section 1 of Amendment 30 to the Arkansas Constitution is
27 hereby amended to read as follows:

28 "SECTION 1. Petition for tax levy - Election. Whenever 100 or more
29 taxpaying electors of any city, having a population of not less than 5,000,
30 shall file a petition with the Mayor asking that an annual tax on real and
31 personal property be levied for the purpose of maintaining a public city
32 library and shall specify a rate of taxation, the question as to whether such
33 tax shall be levied shall be submitted to the qualified electors of such city
34 at a general or special election. Such petition must be filed at least thirty
35 days prior to the election at which it will be submitted to the voters. The
36 ballot shall be in substantially the following form:

1 For a _____ mill tax on real and personal property to
2 be used for maintenance of a public city library.

3 Against a _____ mill tax on real and personal property
4 to be used for maintenance of a public city library.

5 The voters may authorize the city library board to issue bonds as
6 prescribed by law for capital improvements to the library and to allow the
7 board to pledge any or all of the tax for the purpose of retiring the bonds."
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9 SECTION 2. Section 3 of Amendment 30 to the Arkansas Constitution is
10 hereby amended to read as follows:

11 "SECTION 3. Raising, reducing or abolishing tax - Petition and
12 election. Whenever 100 or more taxpaying electors of any city having a
13 library tax in force shall file a petition with the Mayor asking that such tax
14 be raised, reduced or abolished, the question shall be submitted to the
15 qualified electors at a general or special election. Such petition must be
16 filed at least thirty days prior to the election at which it will be submitted
17 to the voters. The ballot shall follow, as far as practicable, the form set
18 forth in Section 1 hereof. The result shall be certified and proclaimed, as
19 provided in Section 2 hereof, and the result as proclaimed shall be conclusive
20 unless attacked in the courts within thirty days. The tax shall be lowered,
21 raised or abolished, as the case may be, according to the majority of the
22 qualified electors voting on the question of such election. If lowered or
23 raised, the revised tax shall thereafter be continually levied and collected
24 and the proceeds used in the manner and for the purposes as provided for in
25 Section 2 hereof."
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27 SECTION 3. Section 1 of Amendment 38 to the Arkansas Constitution is
28 hereby amended to read as follows:

29 "SECTION 1. Petition for tax levy - Election. Whenever 100 or more tax
30 paying electors of any county shall file a petition in the County Court asking
31 that an annual tax on real and personal property be levied for the purpose of
32 maintaining a public county library or a county library service or system and
33 shall specify a rate of taxation, the question as to whether said tax shall be
34 levied shall be submitted to the qualified electors of such county at a
35 general or special election. Such petition must be filed at least thirty days

1 prior to the election at which it will be submitted to the voters. The ballot
2 shall be in substantially the following form:

3 FOR a _____ mill tax on real and personal property to be used
4 for maintenance of a public county library or county library service or
5 system.

6 AGAINST a _____ mill tax on real and personal property to be
7 used for maintenance of a public county library or county library service or
8 system.

9 The voters may authorize the county library board to issue bonds as
10 prescribed by law for capital improvements to the library and to allow the
11 board to pledge any or all of the tax for the purpose of retiring the bonds."
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13 SECTION 4. Section 3 of Amendment 38 to the Arkansas Constitution is
14 hereby amended to read as follows:

15 "SECTION 3. Raising, reducing or abolishing tax - Petition and
16 election. Whenever 100 or more tax paying electors of any county having
17 library tax in force shall file a petition in the County Court asking that
18 such tax be raised, reduced or abolished, the question shall be submitted to
19 the qualified electors at a general or special election. Such petition must
20 be filed at least thirty days prior to the election at which it will be
21 submitted to the voters. The ballot shall follow, as far as practicable, the
22 form set forth in Section 1 hereof. The result shall be certified and entered
23 of record as provided in Section 2 hereof, and the result as entered of record
24 shall be conclusive unless attacked in the courts within thirty days. The tax
25 shall be lowered, raised or abolished, as the case may be, according to the
26 majority of qualified electors voting on the question at such election. If
27 lowered or raised, the revised tax shall thereafter be continually levied and
28 collected and proceeds used in the manner and for the purposes as provided in
29 Section 2 hereof."
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