

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

HOUSE BILL 1734

5 By: Representative Cleveland
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR THE
10 DEPARTMENT OF EDUCATION TO COMPENSATE SCHOOL
11 DISTRICTS WHO HAVE A MILLAGE ROLLBACK
12 ATTRIBUTABLE TO AMENDMENT 79 OF THE ARKANSAS
13 CONSTITUTION FOR THE BIENNIAL PERIOD ENDING JUNE
14 30, 2005; AND FOR OTHER PURPOSES.
15
16

Subtitle

17 AN ACT FOR THE DEPARTMENT OF EDUCATION
18 - AMENDMENT 79 SCHOOL DISTRICT MILLAGE
19 ROLLBACK COMPENSATION APPROPRIATION FOR
20 THE 2003-2005 BIENNIUM.
21
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. APPROPRIATION - SCHOOL DISTRICT MILLAGE ROLLBACK COMPENSATION.
27 There is hereby appropriated, to the Department of Education, to be payable
28 from the Property Tax Relief Trust Fund, to compensate various school
29 districts for Amendment 79 millage rollback for the biennial period ending
30 June 30, 2005, the following:
31

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) AMENDMENT 79 MILLAGE ROLLBACK		
COMPENSATION TO SCHOOL DISTRICTS	\$ 950,000	\$ 950,000



1 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 3 EQUALIZATION OF PERSONAL PROPERTY MILLAGE. (A) Amendment 79 of the
 4 Constitution of the State of Arkansas provides that school district millage
 5 must be equal for all classes of property and several school districts now
 6 have unequalized millage on real and personal property. The Arkansas
 7 Department of Education and the Assessment Coordination Department are hereby
 8 authorized to identify those school districts which are affected by the
 9 Amendment 79 provision to equalize millage and calculate the loss in revenues
 10 due to the equalization of the millage. Loss in revenue shall be defined as
 11 the difference between the collectable taxes calculated by multiplying the
 12 current assessment times the pre-equalized mills and the current assessment
 13 times post-equalized mills.
 14 (B) School districts shall receive funding authorized herein equal to the
 15 loss in revenues as calculated by the Arkansas Department of Education and
 16 the Assessment Coordination Department.
 17 (C) Funding received by school districts pursuant to this act shall be
 18 considered unrestricted revenues to those districts and shall be included in
 19 the calculation of total state and local revenues of each district.

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 21 The provisions of this section shall be in effect only from July 1, 2003
 22 through June 30, 2005.

23
 24 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 25 by this act shall be limited to the appropriation for such agency and funds
 26 made available by law for the support of such appropriations; and the
 27 restrictions of the State Purchasing Law, the General Accounting and
 28 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 29 Procedures and Restrictions Act, or their successors, and other fiscal
 30 control laws of this State, where applicable, and regulations promulgated by
 31 the Department of Finance and Administration, as authorized by law, shall be
 32 strictly complied with in disbursement of said funds.

33
 34 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
 35 that any funds disbursed under the authority of the appropriations contained
 36 in this act shall be in compliance with the stated reasons for which this act

1 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 2 and Legislative Recommendations contained in the budget manuals prepared by
 3 the Department of Finance and Administration, letters, or summarized oral
 4 testimony in the official minutes of the Arkansas Legislative Council or
 5 Joint Budget Committee which relate to its passage and adoption.

6
 7 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
 8 Assembly, that the Constitution of the State of Arkansas prohibits the
 9 appropriation of funds for more than a two (2) year period; that the
 10 effectiveness of this Act on July 1, 2003 is essential to the operation of
 11 the agency for which the appropriations in this Act are provided, and that in
 12 the event of an extension of the Regular Session, the delay in the effective
 13 date of this Act beyond July 1, 2003 could work irreparable harm upon the
 14 proper administration and provision of essential governmental programs.
 15 Therefore, an emergency is hereby declared to exist and this Act being
 16 necessary for the immediate preservation of the public peace, health and
 17 safety shall be in full force and effect from and after July 1, 2003.