

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

Act 642 of 2003
HOUSE BILL 1397

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR STATE
10 TURNBACK FOR COUNTIES AND MUNICIPALITIES BY THE
11 OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2005; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE OFFICE OF THE TREASURER
17 OF STATE - FOR STATE TURNBACK FOR
18 COUNTIES AND MUNICIPALITIES
19 APPROPRIATION FOR THE 2003-2005
20 BIENNIUM.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. APPROPRIATION - GENERAL REVENUES TO CITIES. There is hereby
27 appropriated, to the Office of the Treasurer of State, to be payable from the
28 Municipal Aid Fund, for the purpose of distributing General Revenue accruing
29 therein for the benefit of municipalities as provided by law, by the Office
30 of the Treasurer of State for the biennial period ending June 30, 2005, the
31 following:
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ITEM	FISCAL YEARS	
	2003-2004	2004-2005
NO.		
(01) GENERAL REVENUES - CITIES	\$ 27,506,526	\$ 27,506,526



SECTION 2. APPROPRIATION - SPECIAL REVENUES TO CITIES. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the Municipal Aid Fund, for distributing Special Revenues accruing therein for the benefit of municipalities as provided by law, by the Office of the Treasurer of State for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) SPECIAL REVENUES - CITIES	\$ <u>110,000,000</u>	\$ <u>120,000,000</u>

SECTION 3. APPROPRIATION - GENERAL REVENUES TO COUNTIES. 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, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) GENERAL REVENUES - COUNTIES	\$ <u>19,741,546</u>	\$ <u>19,741,546</u>

SECTION 4. APPROPRIATION - SPECIAL REVENUES TO COUNTIES. 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 moneys provided by Highway Turnback, Severance Taxes to Counties, and any other monies provided by the 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, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) SPECIAL REVENUES - COUNTIES	\$ <u>140,000,000</u>	\$ <u>160,000,000</u>

SECTION 5. APPROPRIATION - UNANTICIPATED SPECIAL REVENUES. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the

1 County Aid Fund, from unanticipated monies received from the sale or lease of
2 minerals, oil and gas on federal military lands or from other unanticipated
3 special revenues, for the transfer to those counties to which such monies are
4 allocated by law, by the Office of the Treasurer of State for the biennial
5 period ending June 30, 2005, the following:

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ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) UNANTICIPATED SPECIAL REVENUES	\$ 20,000,000	\$ 20,000,000

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11 SECTION 6. APPROPRIATION - MILITARY LAND SALE. There is hereby
12 appropriated, to the Office of the Treasurer of State, to be payable from the
13 County Aid Fund, from monies received from the sale or lease of minerals, oil
14 and gas on federal military lands to the County Road Fund of the counties to
15 which such monies are allocated by law, by the Office of the Treasurer of
16 State for the biennial period ending June 30, 2005, the sum of ...\$1,500,000.

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18 SECTION 7. APPROPRIATION - MILITARY LAND TAXING UNIT DISTRIBUTION. There
19 is hereby appropriated, to the Office of the Treasurer of State, to be
20 payable from the County Aid Fund, from monies received from the sale or lease
21 of minerals, oil and gas on federal military lands to the County Treasurer of
22 the counties to which such monies are allocated by law, for distribution to
23 the various taxing units of said county as provided by law, by the Office of
24 the Treasurer of State for the biennial period ending June 30, 2005, the sum
25 of\$2,500,000.

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27 SECTION 8. APPROPRIATION - REAL PROPERTY TAX REDUCTIONS - COUNTIES. There
28 is hereby appropriated, to the Office of the Treasurer of State, to be
29 payable from the Property Tax Relief Trust Fund, for distributing funds
30 provided by a statewide property tax reduction to counties, by the Office of
31 the Treasurer of State for the biennial period ending June 30, 2005, the
32 following:

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ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) DISTRIBUTION TO COUNTIES FOR PROPERTY		

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1 TAX RELIEF \$ 225,000,000 \$ 225,000,000

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3 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
5 FORWARD. At the close of each fiscal year any unexpended appropriation
6 provided in this act for Distribution to Counties for Property Tax Relief
7 shall be carried forward and made available for the same purpose for the next
8 fiscal year.

9 The provisions of this section shall be in effect only from ~~July 1, 2001~~
10 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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12 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
14 TURNBACK - UNANTICIPATED FUNDS. The appropriation authorized in Sections 3,
15 6 and 7 of this Act or any other appropriation as provided by the General
16 Assembly for aid to counties may be supplemented, if necessary, by a transfer
17 from the appropriation provided for in Section 5 of this Act.

18 The provisions of this section shall be in effect only from ~~July 1, 2001~~
19 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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21 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOANS TO
23 CITIES AND COUNTIES. On July 1 of each fiscal year of the biennial period
24 ending ~~June 30, 2003~~ June 30, 2005, the Chief Fiscal Officer of the State
25 shall request a transfer by the State Treasurer from the Budget Stabilization
26 Trust Fund to the County Aid Fund and to the Municipal Aid Fund to assist the
27 various cities and counties in meeting cash flow needs early in the state
28 fiscal year. The transfer shall be a loan to be repaid in equal installments
29 from general revenue distributions each month during the fiscal year for
30 which the loan was made and shall be in addition to any other loans
31 authorized by law for the County Aid and Municipal Aid Funds. The amount of
32 such loan for each fiscal year shall be \$3,517,657 to the Municipal Aid Fund
33 and \$1,906,079 to the County Aid Fund, or so much thereof as may be available
34 in the Budget Stabilization Trust Fund as determined by the Chief Fiscal
35 Officer of the State. Upon such transfer being completed, the State
36 Treasurer shall immediately distribute such funds to each of the several

1 municipalities and counties in the same manner as general revenues are
2 distributed.

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

9 The provisions of this section shall be in effect only from ~~July 1, 2001~~
10 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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12 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
14 FORWARD. At the close of each fiscal year any unexpended appropriation and
15 funds for the County Aid and Municipal Aid line items shall be carried
16 forward and made available for the same purpose for the next fiscal year.

17 The provisions of this section shall be in effect only from ~~July 1, 2001~~
18 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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20 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
21 by this act shall be limited to the appropriation for such agency and funds
22 made available by law for the support of such appropriations; and the
23 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 14. LEGISLATIVE INTENT. It is the intent of the General Assembly
31 that any funds disbursed under the authority of the appropriations contained
32 in this act shall be in compliance with the stated reasons for which this act
33 was adopted, as evidenced by the Agency Requests, Executive Recommendations
34 and Legislative Recommendations contained in the budget manuals prepared by
35 the Department of Finance and Administration, letters, or summarized oral
36 testimony in the official minutes of the Arkansas Legislative Council or

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

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

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17 APPROVED: 3/24/2003
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