

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.

Act 1384 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1041

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5 By: Joint Budget Committee
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8 **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, 2007; AND FOR OTHER
13 PURPOSES.
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16 **Subtitle**

17 AN ACT FOR THE OFFICE OF THE TREASURER
18 OF STATE - FOR STATE TURNBACK FOR
19 COUNTIES AND MUNICIPALITIES
20 APPROPRIATION FOR THE 2005-2007
21 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, 2007, the
31 following:
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33 ITEM	FISCAL YEARS	
34 NO.	2005-2006	2006-2007
35 (01) GENERAL REVENUES - CITIES	<u>\$ 27,506,526</u>	<u>\$ 27,506,526</u>



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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, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(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, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(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 monies 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, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) SPECIAL REVENUES - COUNTIES	<u>\$ 140,000,000</u>	<u>\$ 160,000,000</u>

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SECTION 5. APPROPRIATION - UNANTICIPATED SPECIAL REVENUES. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the County Aid Fund, from unanticipated monies received from the sale or lease of minerals, oil and gas on federal military lands or from other unanticipated special revenues, for the transfer to those counties to which such monies are allocated by law, by the Office of the Treasurer of State for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) UNANTICIPATED SPECIAL REVENUES	<u>\$ 20,000,000</u>	<u>\$ 20,000,000</u>

SECTION 6. APPROPRIATION - MILITARY LAND SALE. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the County Aid Fund, from monies received from the sale or lease of minerals, oil and gas on federal military lands to the County Road Fund of the counties to which such monies are allocated by law, by the Office of the Treasurer of State for the biennial period ending June 30, 2007, the sum of...\$1,500,000.

SECTION 7. APPROPRIATION - MILITARY LAND TAXING UNIT DISTRIBUTION. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the County Aid Fund, from monies received from the sale or lease of minerals, oil and gas on federal military lands to the County Treasurer of the counties to which such monies are allocated by law, for distribution to the various taxing units of said county as provided by law, by the Office of the Treasurer of State for the biennial period ending June 30, 2007, the sum of.....\$2,500,000.

SECTION 8. APPROPRIATION - REAL PROPERTY TAX REDUCTIONS - COUNTIES. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the Property Tax Relief Trust Fund, for distributing funds provided by a statewide property tax reduction to counties, by the Office of the Treasurer of State for the biennial period ending June 30, 2007, the following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) DISTRIBUTION TO COUNTIES FOR PROPERTY TAX RELIEF	<u>\$ 225,000,000</u>	<u>\$ 225,000,000</u>

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

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY TURNBACK - UNANTICIPATED FUNDS. The appropriation authorized for General Revenue to Counties in Sections ~~3~~, Military Land Sale in Section 6 and Military Land Taxing Unit Distribution in Section 7 of this Act, or any other appropriation as provided by the General Assembly for aid to counties may be supplemented, if necessary, by a transfer from the appropriation provided for Unanticipated Special Revenues in Section 5 of this Act.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOANS TO CITIES AND COUNTIES. On July 1 of each fiscal year of the biennial period ending June 30, ~~2005~~ 2007, the Chief Fiscal Officer of the State shall request a transfer by the State Treasurer from the Budget Stabilization Trust Fund to the County Aid Fund and to the Municipal Aid Fund to assist the various cities and counties in meeting cash flow needs early in the state fiscal year. The transfer shall be a loan to be repaid in equal installments from general revenue distributions each month during the fiscal year for which the loan was made and shall be in addition to any other loans

1 authorized by law for the County Aid and Municipal Aid Funds. The amount of
 2 such loan for each fiscal year shall be \$3,517,657 to the Municipal Aid Fund
 3 and \$1,906,079 to the County Aid Fund, or so much thereof as may be available
 4 in the Budget Stabilization Trust Fund as determined by the Chief Fiscal
 5 Officer of the State. Upon such transfer being completed, the State
 6 Treasurer shall immediately distribute such funds to each of the several
 7 municipalities and counties in the same manner as general revenues are
 8 distributed.

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

15 The provisions of this section shall be in effect only from July 1, ~~2003~~
 16 2005 through June 30, ~~2005~~ 2007.

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

23 The provisions of this section shall be in effect only from July 1, ~~2003~~
 24 2005 through June 30, ~~2005~~ 2007.

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 27 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 28 by this act shall be limited to the appropriation for such agency and funds
 29 made available by law for the support of such appropriations; and the
 30 restrictions of the State Procurement Law, the General Accounting and
 31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 32 Procedures and Restrictions Act, or their successors, and other fiscal
 33 control laws of this State, where applicable, and regulations promulgated by
 34 the Department of Finance and Administration, as authorized by law, shall be
 35 strictly complied with in disbursement of said funds.

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SECTION 14. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2005 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2005 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2005.

APPROVED: 3/30/2005

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