

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 773 of the Regular Session

As Engrossed: H3/8/07

A Bill

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

HOUSE BILL 1080

5 By: Joint Budget Committee

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, 2009; AND FOR OTHER
13 PURPOSES.

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 2007-2009
21 BIENNIUM.

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

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, 2009, the
31 following:

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) GENERAL REVENUES - CITIES	<u>\$ 27,506,526</u>	<u>\$ 27,506,526</u>



1
 2 SECTION 2. APPROPRIATION - SPECIAL REVENUES TO CITIES. There is hereby
 3 appropriated, to the Office of the Treasurer of State, to be payable from the
 4 Municipal Aid Fund, for distributing Special Revenues accruing therein for
 5 the benefit of municipalities as provided by law, by the Office of the
 6 Treasurer of State for the biennial period ending June 30, 2009, the
 7 following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) SPECIAL REVENUES - CITIES	<u>\$ 120,000,000</u>	<u>\$ 120,000,000</u>

12
 13 SECTION 3. APPROPRIATION - GENERAL REVENUES TO COUNTIES. There is hereby
 14 appropriated, to the Office of the Treasurer of State, to be payable from the
 15 County Aid Fund, for the purpose of distributing General Revenue accruing
 16 therein for the benefit of counties as provided by law, by the Office of the
 17 Treasurer of State for the biennial period ending June 30, 2009, the
 18 following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) GENERAL REVENUE - COUNTIES	<u>\$ 19,741,546</u>	<u>\$ 19,741,546</u>

23
 24 SECTION 4. APPROPRIATION - SPECIAL REVENUES TO COUNTIES. There is hereby
 25 appropriated, to the Office of the Treasurer of State, to be payable from the
 26 County Aid Fund, for the purpose of distributing any monies provided by
 27 Highway Turnback, Severance Taxes to counties, and any other monies provided
 28 by the Acts of the General Assembly for the benefit of counties, by the
 29 Office of the Treasurer of State for the biennial period ending June 30,
 30 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) SPECIAL REVENUE - COUNTIES	<u>\$ 160,000,000</u>	<u>\$ 160,000,000</u>

35
 36 SECTION 5. APPROPRIATION - UNANTICIPATED SPECIAL REVENUES. There is hereby

1 appropriated, to the Office of the Treasurer of State, to be payable from the
2 County Aid Fund, from unanticipated monies received from the sale or lease of
3 minerals, oil and gas on federal military lands or from other unanticipated
4 special revenues, for the transfer to those counties to which such monies are
5 allocated by law, by the Office of the Treasurer of State for the biennial
6 period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) UNANTICIPATED SPECIAL REVENUES	\$ 20,000,000	\$ 20,000,000

11
12 SECTION 6. APPROPRIATION - MILITARY LAND SALE. There is hereby
13 appropriated, to the Office of the Treasurer of State, to be payable from the
14 County Aid Fund, from monies received from the sale or lease of minerals, oil
15 and gas on federal military lands to the County Road Fund of the counties to
16 which such monies are allocated by law, by the Office of the Treasurer of
17 State for the biennial period ending June 30, 2009, the sum of ...\$1,500,000.

18
19 SECTION 7. APPROPRIATION - MILITARY LAND TAXING UNIT DISTRIBUTION. There
20 is hereby appropriated, to the Office of the Treasurer of State, to be
21 payable from the County Aid Fund, from monies received from the sale or lease
22 of minerals, oil and gas on federal military lands to the County Treasurer of
23 the counties to which such monies are allocated by law, for distribution to
24 the various taxing units of said county as provided by law, by the Office of
25 the Treasurer of State for the biennial period ending June 30, 2009, the sum
26 of\$2,500,000.

27
28 SECTION 8. APPROPRIATION - REAL PROPERTY TAX REDUCTION - COUNTIES. There
29 is hereby appropriated, to the Office of the Treasurer of State, to be
30 payable from the Property Tax Relief Trust Fund, for distributing funds
31 provided by a statewide property tax reduction to counties, by the Office of
32 the Treasurer of State for the biennial period ending June 30, 2009, the
33 following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009

1 (01) DISTRIBUTION TO COUNTIES FOR PROPERTY
2 TAX RELIEF \$ 250,000,000 \$ 250,000,000

3

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

10 The provisions of this section shall be in effect only from July 1, ~~2005~~
11 2007 through June 30, ~~2007~~ 2009.

12

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

21 The provisions of this section shall be in effect only from July 1, ~~2005~~
22 2007 through June 30, ~~2007~~ 2009.

23

24 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOANS TO
26 CITIES AND COUNTIES. On July 1 of each fiscal year of the biennial period
27 ending June 30, ~~2007~~ 2009, the Chief Fiscal Officer of the State shall
28 request a transfer by the State Treasurer from the Budget Stabilization Trust
29 Fund to the County Aid Fund and to the Municipal Aid Fund to assist the
30 various cities and counties in meeting cash flow needs early in the state
31 fiscal year. The transfer shall be a loan to be repaid in equal installments
32 from general revenue distributions each month during the fiscal year for
33 which the loan was made and shall be in addition to any other loans
34 authorized by law for the County Aid and Municipal Aid Funds. The amount of
35 such loan for each fiscal year shall be \$3,517,657 to the Municipal Aid Fund
36 and \$1,906,079 to the County Aid Fund, or so much thereof as may be available

1 in the Budget Stabilization Trust Fund as determined by the Chief Fiscal
2 Officer of the State. Upon such transfer being completed, the State
3 Treasurer shall immediately distribute such funds to each of the several
4 municipalities and counties in the same manner as general revenues are
5 distributed.

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

12 The provisions of this section shall be in effect only from July 1, 2005
13 2007 through June 30, ~~2007~~ 2009.

14

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

20 The provisions of this section shall be in effect only from July 1, 2005
21 2007 through June 30, ~~2007~~ 2009.

22

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

32

33 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General Assembly
34 that any funds disbursed under the authority of the appropriations contained
35 in this act shall be in compliance with the stated reasons for which this act
36 was adopted, as evidenced by the Agency Requests, Executive Recommendations

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

5
6 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
7 Assembly, that the Constitution of the State of Arkansas prohibits the
8 appropriation of funds for more than a two (2) year period; that the
9 effectiveness of this Act on July 1, 2007 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the Regular Session, the delay in the effective
12 date of this Act beyond July 1, 2007 could work irreparable harm upon the
13 proper administration and provision of essential governmental programs.
14 Therefore, an emergency is hereby declared to exist and this Act being
15 necessary for the immediate preservation of the public peace, health and
16 safety shall be in full force and effect from and after July 1, 2007.

17
18 */s/ Joint Budget Committee*

19
20 *APPROVED: 4/2/2007*