

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 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.  
21  
22  
23

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

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:  
32

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:

6

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

9

10  
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.

17

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.

26

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:

33

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

36

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.

11

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.

20

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.

11

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.

19

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.

29

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.

2  
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.