

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 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1078

4  
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 FISCAL  
12 YEAR ENDING JUNE 30, 2010; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE OFFICE OF TREASURER OF  
17 STATE - FOR STATE TURNBACK FOR COUNTIES  
18 AND MUNICIPALITIES APPROPRIATION FOR THE  
19 2009-2010 FISCAL YEAR.  
20  
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22

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

25 SECTION 1. APPROPRIATION - GENERAL REVENUES TO CITIES. There is hereby  
26 appropriated, to the Office of the Treasurer of State, to be payable from the  
27 Municipal Aid Fund, for the purpose of distributing General Revenue accruing  
28 therein for the benefit of municipalities as provided by law, by the Office  
29 of the Treasurer of State for the fiscal year ending June 30, 2010, the  
30 following:  
31

ITEM	FISCAL YEAR
NO.	2009-2010
(01) GENERAL REVENUES - CITIES	\$ <u>27,506,526</u>

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36 SECTION 2. APPROPRIATION - SPECIAL REVENUES TO CITIES. There is hereby



1 appropriated, to the Office of the Treasurer of State, to be payable from the  
2 Municipal Aid Fund, for distributing Special Revenues accruing therein for  
3 the benefit of municipalities as provided by law, by the Office of the  
4 Treasurer of State for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) SPECIAL REVENUES - CITIES	<u>\$ 120,000,000</u>

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10 SECTION 3. APPROPRIATION - GENERAL REVENUES TO COUNTIES. There is hereby  
11 appropriated, to the Office of the Treasurer of State, to be payable from the  
12 County Aid Fund, for the purpose of distributing General Revenue accruing  
13 therein for the benefit of counties as provided by law, by the Office of the  
14 Treasurer of State for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) GENERAL REVENUE - COUNTIES	<u>\$ 19,741,546</u>

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20 SECTION 4. APPROPRIATION - SPECIAL REVENUES TO COUNTIES. There is hereby  
21 appropriated, to the Office of the Treasurer of State, to be payable from the  
22 County Aid Fund, for the purpose of distributing any monies provided by  
23 Highway Turnback, Severance Taxes to counties, and any other monies provided  
24 by the Acts of the General Assembly for the benefit of counties, by the  
25 Office of the Treasurer of State for the fiscal year ending June 30, 2010,  
26 the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) SPECIAL REVENUE - COUNTIES	<u>\$ 160,000,000</u>

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32 SECTION 5. APPROPRIATION - UNANTICIPATED SPECIAL REVENUES. There is hereby  
33 appropriated, to the Office of the Treasurer of State, to be payable from the  
34 County Aid Fund, from unanticipated monies received from the sale or lease of  
35 minerals, oil and gas on federal military lands or from other unanticipated  
36 special revenues, for the transfer to those counties to which such monies are

1 allocated by law, by the Office of the Treasurer of State for the fiscal year  
2 ending June 30, 2010, the following:

3		
4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2009-2010</u>
6	(01) UNANTICIPATED SPECIAL REVENUES	<u>\$ 20,000,000</u>
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8 SECTION 6. APPROPRIATION - MILITARY LAND SALE. There is hereby  
9 appropriated, to the Office of the Treasurer of State, to be payable from the  
10 County Aid Fund, from monies received from the sale or lease of minerals, oil  
11 and gas on federal military lands to the County Road Fund of the counties to  
12 which such monies are allocated by law, by the Office of the Treasurer of  
13 State for the fiscal year ending June 30, 2010, the sum of .....\$750,000.

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15 SECTION 7. APPROPRIATION - MILITARY LAND TAXING UNIT DISTRIBUTION. There  
16 is hereby appropriated, to the Office of the Treasurer of State, to be  
17 payable from the County Aid Fund, from monies received from the sale or lease  
18 of minerals, oil and gas on federal military lands to the County Treasurer of  
19 the counties to which such monies are allocated by law, for distribution to  
20 the various taxing units of said county as provided by law, by the Office of  
21 the Treasurer of State for the fiscal year ending June 30, 2010, the sum of  
22 .....\$1,250,000.

23  
24 SECTION 8. APPROPRIATION - REAL PROPERTY TAX REDUCTION - COUNTIES. There  
25 is hereby appropriated, to the Office of the Treasurer of State, to be  
26 payable from the Property Tax Relief Trust Fund, for distributing funds  
27 provided by a statewide property tax reduction to counties, by the Office of  
28 the Treasurer of State for the fiscal year ending June 30, 2010, the  
29 following:

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31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2009-2010</u>
33	(01) DISTRIBUTION TO COUNTIES FOR PROPERTY	
34	TAX RELIEF	<u>\$ 250,000,000</u>
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36 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
 2 TURNBACK - UNANTICIPATED FUNDS. The appropriation authorized for General  
 3 Revenue to Counties in Section 3, Military Land Sale in Section 6 and  
 4 Military Land Taxing Unit Distribution in Section 7 of this Act, or any other  
 5 appropriation as provided by the General Assembly for aid to counties may be  
 6 supplemented, if necessary, by a transfer from the appropriation provided for  
 7 Unanticipated Special Revenues in Section 5 of this Act.

8 The provisions of this section shall be in effect only from July 1,  
 9 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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 11 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOANS TO  
 13 CITIES AND COUNTIES. On July 1 of each fiscal year ~~of the biennial period~~  
 14 ~~ending June 30, 2011~~, the Chief Fiscal Officer of the State shall request a  
 15 transfer by the State Treasurer from the Budget Stabilization Trust Fund to  
 16 the County Aid Fund and to the Municipal Aid Fund to assist the various  
 17 cities and counties in meeting cash flow needs early in the state fiscal  
 18 year. The transfer shall be a loan to be repaid in equal installments from  
 19 general revenue distributions each month during the fiscal year for which the  
 20 loan was made and shall be in addition to any other loans authorized by law  
 21 for the County Aid and Municipal Aid Funds. The amount of such loan for each  
 22 fiscal year shall be \$3,517,657 to the Municipal Aid Fund and \$1,906,079 to  
 23 the County Aid Fund, or so much thereof as may be available in the Budget  
 24 Stabilization Trust Fund as determined by the Chief Fiscal Officer of the  
 25 State. Upon such transfer being completed, the State Treasurer shall  
 26 immediately distribute such funds to each of the several municipalities and  
 27 counties in the same manner as general revenues are distributed.

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

34 The provisions of this section shall be in effect only from July 1,  
 35 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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1 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 2 by this act shall be limited to the appropriation for such agency and funds  
 3 made available by law for the support of such appropriations; and the  
 4 restrictions of the State Procurement Law, the General Accounting and  
 5 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 6 Procedures and Restrictions Act, or their successors, and other fiscal  
 7 control laws of this State, where applicable, and regulations promulgated by  
 8 the Department of Finance and Administration, as authorized by law, shall be  
 9 strictly complied with in disbursement of said funds.

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 11 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 12 that any funds disbursed under the authority of the appropriations contained  
 13 in this act shall be in compliance with the stated reasons for which this act  
 14 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 15 and Legislative Recommendations contained in the budget manuals prepared by  
 16 the Department of Finance and Administration, letters, or summarized oral  
 17 testimony in the official minutes of the Arkansas Legislative Council or  
 18 Joint Budget Committee which relate to its passage and adoption.

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 20 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General  
 21 Assembly, that the Constitution of the State of Arkansas prohibits the  
 22 appropriation of funds for more than a one (1) year period; that the  
 23 effectiveness of this Act on July 1, 2009 is essential to the operation of  
 24 the agency for which the appropriations in this Act are provided, and that in  
 25 the event of an extension of the Regular Session, the delay in the effective  
 26 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
 27 proper administration and provision of essential governmental programs.  
 28 Therefore, an emergency is hereby declared to exist and this Act being  
 29 necessary for the immediate preservation of the public peace, health and  
 30 safety shall be in full force and effect from and after July 1, 2009.