

YARBROUGH SUBSTITUTE FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2586

I move the following SUBSTITUTE amendment to the WAYS AND MEANS Committee Amendment to

HOUSE BILL 2586 (Reference to printed bill)

1 Page 1, strike lines 14 and 15

2 Reletter to conform

3 Line 34, strike "48-3620,"

4 Page 2, lines 2, 10, 18 and 26, strike "48-3620,"

5 Page 3, lines 17, 25 and 44, strike "48-3620,"

6 Page 4, line 17, strike "48-3620,"

7 Page 5, line 13, strike "48-3620,"

8 Page 6, line 41, after "G." insert "BEGINNING IN TAX YEAR 2008,"

9 Strike line 42

10 Line 43, strike "1. FOR TAX YEAR 2008, THE LEVY SHALL NOT"

11 Line 44, strike "2007" insert "THE PRECEDING TAX YEAR"

12 Line 45, after the period insert "FOR A DISTRICT THAT IS ESTABLISHED FROM AND
13 AFTER DECEMBER 31, 2008, THE LIMIT UNDER THIS SUBSECTION APPLIES BEGINNING IN
14 THE SECOND TAX YEAR BASED ON THE LEVY IN THE FIRST TAX YEAR. IF THE DISTRICT
15 ANNEXES ADDITIONAL TERRITORY, THE LIMIT UNDER THIS SUBSECTION SHALL BE
16 ADJUSTED BY APPLYING THE DISTRICT'S TAX RATE TO THE ASSESSED VALUATION OF THE
17 ANNEXED PROPERTY IN THE PRECEDING TAX YEAR. IF DISTRICTS ARE MERGED OR
18 CONSOLIDATED UNDER THIS CHAPTER, THE LIMITATION UNDER THIS SUBSECTION IN THE
19 FIRST YEAR AFTER THE DISTRICTS ARE MERGED OR CONSOLIDATED IS THE TOTAL OF THE
20 LEVIES OF THE MERGED OR CONSOLIDATED DISTRICTS IN THE PRECEDING TAX YEAR
21 MULTIPLIED BY 1.10, OR THE AMOUNT OF THE LEVIES ALLOWED BY THE MAXIMUM RATE
22 PRESCRIBED BY SUBSECTION F OF THIS SECTION, WHICHEVER IS LESS."

1 Page 7, strike lines 1 through 29

2 Reletter to conform

3 Page 9, line 23, strike "2008" insert "2009"

4 Line 24, after "IN" insert "THE PRECEDING"

5 Line 25, strike "2007"

6 Strike lines 31 through 45

7 Strike pages 10 and 11

8 Page 12, strike lines 1 through 17, insert:

9 "Sec. 11. Section 48-3901, Arizona Revised Statutes, is amended to
10 read:

11 48-3901. County free library district; election on proposed
12 establishment; board of directors

13 A. AS PROVIDED BY SUBSECTION B OF THIS SECTION, the board of
14 supervisors may establish at the county seat a county free library district
15 for the county and for all cities and towns within the county as may elect to
16 become a part of, or to participate in, the county free library district, as
17 provided in this article and title 11, chapter 7, article 1. The district
18 may include branch libraries at locations determined by the board.

19 ~~B. At least once each week for three successive weeks prior to taking~~
20 ~~action upon the establishment of the county free library district, the board~~
21 ~~shall publish in the county notice of such contemplated action, giving~~
22 ~~therein the date and time of the meeting at which the action is proposed to~~
23 ~~be taken.~~

24 B. BEGINNING FROM AND AFTER DECEMBER 31, 2008, TO ESTABLISH THE
25 DISTRICT, THE BOARD OF SUPERVISORS MUST PROVIDE FOR AND CALL AN ELECTION TO
26 SUBMIT THE ISSUE TO THE QUALIFIED ELECTORS OF THE COUNTY. THE ELECTION SHALL
27 BE HELD ON THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY IN NOVEMBER AS
28 PRESCRIBED BY SECTION 16-204, SUBSECTION B, PARAGRAPH 1, SUBDIVISION (d).
29 THE BALLOT SHALL CONTAIN THE WORDS "DISTRICT FORMATION, YES" AND "DISTRICT
30 FORMATION, NO". THE BALLOT SHALL INCLUDE A SEPARATE QUESTION ON THE ISSUE OF
31 LEVYING A PROPERTY TAX AS PROVIDED BY SECTION 48-3903 FOR THE PURPOSES OF
32 THIS CHAPTER. THE BALLOT SHALL CONTAIN THE WORDS "TAX, YES" AND "TAX, NO".

1 IF A MAJORITY OF THE QUALIFIED ELECTORS APPROVE THE QUESTION ON FORMING THE
2 DISTRICT, THE DISTRICT MAY BE ESTABLISHED, BUT IF A MAJORITY OF THE QUALIFIED
3 ELECTORS DISAPPROVE THE QUESTION ON THE TAX LEVY, THE DISTRICT SHALL NOT BE
4 ESTABLISHED. THE COUNTY SHALL ADMINISTER THE ELECTION AS OTHERWISE PROVIDED
5 BY LAW.

6 C. The board of supervisors shall be the board of directors of the
7 county free library district."

8 Renumber to conform

9 Page 12, line 22, strike "shall" insert "MAY"

10 Line 26, after the period insert "FOR DISTRICTS ESTABLISHED FROM AND AFTER
11 DECEMBER 31, 2008, THE TAX LEVY MUST BE APPROVED BY THE QUALIFIED ELECTORS
12 VOTING ON THE ISSUE AS PROVIDED BY SECTION 48-3901, SUBSECTION B.

13 B."

14 Reletter to conform

15 Line 29, strike "2008" insert "2009"

16 Line 30, strike "TAX YEAR 2007" insert "THE PRECEDING TAX YEAR"

17 Line 36, after the period insert "FOR A DISTRICT THAT IS ESTABLISHED FROM AND
18 AFTER DECEMBER 31, 2008, THE LIMIT SHALL BE BASED ON THE INITIAL LEVY OF THE
19 DISTRICT AS APPROVED BY THE QUALIFIED ELECTORS PURSUANT TO SECTION 48-3901,
20 SUBSECTION B."

21 Page 13, line 11, strike "2008" insert "2009"; after "LEVY" strike "IN" insert
22 "UNDER THIS SECTION SHALL NOT EXCEED THE LEVY IN THE PRECEDING"

23 Line 12, strike "2007"

24 Line 17, after the period insert "FOR A DISTRICT THAT IS ESTABLISHED FROM AND
25 AFTER DECEMBER 31, 2008, THE LIMIT SHALL BE BASED ON THE INITIAL LEVY OF THE
26 DISTRICT AS APPROVED BY THE QUALIFIED ELECTORS PURSUANT TO SECTION 48-4021."

27 Page 14, line 8, after "LEVY" strike "IN" insert "UNDER THIS SECTION SHALL NOT
28 EXCEED THE LEVY IN THE PRECEDING"

29 Line 9, strike "2008"

1 Page 14, line 14, after the period insert "FOR A DISTRICT THAT IS ESTABLISHED FROM
2 AND AFTER DECEMBER 31, 2008, THE LIMIT SHALL BE BASED ON THE INITIAL LEVY OF
3 THE DISTRICT AS APPROVED BY THE QUALIFIED ELECTORS PURSUANT TO SECTION
4 48-4021."

5 Between lines 23 and 24, insert:

6 "Sec. 15. Section 48-5802, Arizona Revised Statutes, is amended to
7 read:

8 48-5802. Formation of district; election

9 A. A county board of supervisors may establish a public health
10 services district ~~pursuant to either subsection B or C of~~ AS PROVIDED BY this
11 section.

12 B. The board of supervisors ~~may provide for an election on the~~
13 ~~formation of the district and~~ shall submit the question ON THE FORMATION OF
14 THE DISTRICT to the qualified electors of the county on ~~a date~~ THE FIRST
15 TUESDAY FOLLOWING THE FIRST MONDAY IN NOVEMBER AS prescribed by section
16 16-204, SUBSECTION B, PARAGRAPH 1, SUBDIVISION (d). The ballot for the
17 election shall contain the words "district formation, yes" and "district
18 formation, no". THE BALLOT MAY INCLUDE A SEPARATE QUESTION ON THE ISSUE OF
19 LEVYING A PROPERTY TAX AS PROVIDED BY SECTION 48-5805, SUBSECTION C FOR THE
20 PURPOSES OF THIS CHAPTER AND, IF SO, THE BALLOT SHALL CONTAIN THE WORDS "TAX,
21 YES" AND "TAX, NO". The county shall administer the election as otherwise
22 provided by law. If a majority of the ~~persons~~ QUALIFIED ELECTORS voting on
23 the question ~~approves~~ APPROVE the ~~question~~ FORMATION OF THE DISTRICT, the
24 district shall be formed to consist of the entire county, including the
25 cities and towns that are located in whole or in part in the county. If a
26 district is formed pursuant to this subsection, the county shall not reduce
27 expenditures for public health to an amount that is less than fifty per cent
28 of the county's fiscal year general fund public health expenditures as
29 determined by calculating the average of the fiscal year expenditure amounts
30 for the three fiscal years immediately preceding the year of the election.
31 Costs for financing construction of any building shall not be included in the
32 calculation of expenditures.

~~C. The board of supervisors may establish a district by unanimous vote of the board. If established by unanimous vote, the district shall be formed to consist of the entire county, including the cities and towns that are located in whole or in part in the county. If a district is formed pursuant to this subsection, the county shall not reduce expenditures for public health to an amount that is less than sixty per cent of the county's fiscal year general fund public health expenditures as determined by calculating the average of the fiscal year expenditure amounts for the three fiscal years immediately preceding the year of the district's formation. Costs for financing construction of any building shall not be included in the calculation of expenditures.~~

~~D.~~ C. If the county does not form a public health services district pursuant to this section, the county shall provide equally public health services to all residents of the county, including residents of cities and towns. The county may spend monies for public health services to address a specific public health need that is unique to a particular area or condition. The county shall not reduce expenditures for public health to an amount that is less than fifty per cent of the county's general fund public health expenditures in fiscal year 1998-1999. Costs for financing construction of any building shall not be included in the calculation of expenditures. Any city or town may provide services to its residents beyond the county's basic level of service and may use any combination of internal municipal departments or any other provider.

~~E.~~ D. A city or town that contributed monies to a county's public health budget in fiscal year 1999-2000:

1. In fiscal year 2000-2001, shall pay to the county one hundred per cent of the city's or town's original public health expenditure.

2. In fiscal year 2001-2002, shall pay to the county ninety-five per cent of the city's or town's original public health expenditure.

3. If the district is formed pursuant to this section or for any fiscal year after 2001-2002, shall no longer be obligated to pay monies to the county for public health expenditures.

1 4. Shall determine the city's or town's original public health
2 expenditure level by calculating the fiscal year expenditure amount for
3 fiscal year 1999-2000. Costs for financing construction of any building and
4 payments made for expenditures incurred for any previous fiscal year shall
5 not be included in the calculation of expenditures."

6 Renumber to conform

7 Page 14, line 43, after the first "tax" insert "IF APPROVED BY THE QUALIFIED
8 ELECTORS PURSUANT TO SECTION 48-5802, SUBSECTION B"

9 Page 15, line 4, strike "2008" insert "2009"; after "LEVY" strike "IN" insert
10 "UNDER THIS SECTION SHALL NOT EXCEED THE LEVY IN THE PRECEDING"

11 Line 5, strike "2007"

12 Line 10, after the period insert "FOR A DISTRICT THAT IS ESTABLISHED FROM AND
13 AFTER DECEMBER 31, 2008, THE LIMIT SHALL BE BASED ON THE INITIAL LEVY OF THE
14 DISTRICT APPROVED BY THE QUALIFIED ELECTORS PURSUANT TO SECTION 48-5802,
15 SUBSECTION B."

16 Amend title to conform

STEVE YARBROUGH

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02/27/2008
3:32 PM
C: dmt