

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 4/2/87

HOUSE BILL 2006

By: Joint Budget Committee

AS ENGROSSED 4/2/87

AS ENGROSSED 4/6/87

AN ACT TO ESTABLISH THE SEVENTY-SIXTH SESSION PROJECTS ACCOUNT WITHIN THE GENERAL IMPROVEMENT FUND: TO DEFINE THE MONIES TO BE AVAILABLE IN SUCH ACCOUNT, AND TO DEFINE THE PURPOSES FOR WHICH MONIES MAY BE MADE AVAILABLE FROM THE GENERAL IMPROVEMENT FUND; AND FOR OTHER PURPOSES."

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

SECTION 1. There is hereby created and established on the books of the Chief Fiscal Officer of the State, the State Treasurer and the State Auditor, the "76th Session Projects Account" within the "General Improvement Fund", into which shall be transferred and credited the respective monies as hereinafter provided in this Act, to be used for providing financing, in the manner set forth herein, for the various projects and purposes enumerated in this Act to be financed from said account.

Immediately upon the effective date of this Act, or as soon thereafter as is practicable, the State Treasurer shall transfer and credit to the "76th Session Projects Account" of the "General Improvement Fund", upon certification of the amounts thereof by the Chief Fiscal Officer of the State, the following:

(a) all unobligated and unallocated monies remaining in the "General Improvement Fund" which are not required to finance projects to be financed therefrom pursuant to appropriations enacted by the 75th General Assembly, or which have not been reappropriated or reallocated for financing from the "General Improvement Fund" by the 76th General Assembly.

(b) any unobligated or unallocated funds remaining in the "General Revenue Allotment Reserve Fund" from monies accruing thereto during the 1985-87 fiscal biennium which are not required to finance enactments of the 76th General Assembly that do not expire on June 30, 1987.

(c) for the period commencing July 1, 1987 and ending June 30, 1989, the State Treasurer shall, after complying with provisions of Section 1 of Act 438 of 1979 for distributing interest income earned from investment of average daily balances of the "State Highway and Transportation Department Fund"; Act 327 of 1983 for distributing interest earned from investment of average daily balances of the "Game Protection Fund"; credit to the "State Budget Revolving Fund" or its successor fund, fifty percent (50%) of the interest income received and credited to the "Securities Reserve Fund" and credit to the "76th Session Projects Account" fifty percent (50%) of the interest income received and credited to the "Securities Reserve Fund", as certified by the Chief Fiscal Officer of the State, that is required to provide financing to the "76th Session Projects Account," until there has been credited an amount required, which when added to the other funds available for such purposes will finance each of the projects or purposes hereinafter enumerated.

SECTION 2. (A) From the monies accruing to the benefit of the "76th Session Projects Account" of the "General Improvement Fund" as authorized by Section 1 of this Act, the Governor may direct the Chief Fiscal Officer of the State to effectuate an allocation of monies for financing certain appropriations and transfers of monies as authorized by the 76th General Assembly as follows:

(1)	Dept. of Arkansas Heritage	
	(A) Old State House Enhancements	\$ 300,000
	(B) Territorial Capitol Enhancements	163,000
(2)	Dept. of Human Services	
	(A) Mental Health Improvements	250,000
	(B) Rehabilitation Services Improvements	50,000
	(C) Children & Family Services Improvements	250,000
	(D) Developmental Disabilities Improvements	250,000
	(E) Developmental Disabilities - Buses & Vans	500,000
(3)	Secretary of State	
	(A) Capitol Central Heat & Air Project	1,479,900
	(B) Corporations Department Relocation	186,000
	(C) Capitol Building/Adj. Facilities Interior Repairs	400,000
	(D) House of Representatives Communications	75,000

(4)	Ark. Development Finance Authority	
	(A) Federal Grant Matching for Municipal Wastewater Treatment Facilities	2,000,000
(5)	Soil and Water Conservation Commission	
	(A) Water Development Projects	2,000,000
	(B) Water, Sewer & Solid Waste Projects	400,000
	(C) Fourche Creek Flood Central Project	748,000
(6)	Ark. Science & Technology Authority	
	(A) Matching Grants for Basic and Applied Research Programs	800,000
	(B) Higher Education Incubator Program	250,000
(7)	Forestry Commission	
	(A) Fire Fighting Equipment Purchase	500,000
	(B) Purchase and Repair of Aircraft	100,000
(8)	Waterways Commission	
	(A) Helena Harbor - Stage One Project	300,000
	(B) Red River Waterway Trust Fund	250,000
(9)	State Crime Laboratory	
	(A) Equipment and Enhancements	50,000
(10)	Dept. of Education	
	(A) Educational TV Equipment	500,000
	(B) Educational TV Roof Repairs	64,000
	(C) School for the Deaf - Enhancements	156,391
	(D) School for the Blind - Enhancements	150,000
	(E) Vocational Technical Schools - Enhancements	500,000
	(F) Vocational Technical Schools - Instructional Equipment	1,500,000
	(G) State Library - Equipment Acquisition	25,000
	(H) State Library - Books & Materials	150,000
	(I) Area Vo-Tech High School Programs	100,000
	(J) Construction/Renovation for implementation of Little Rock Sch. District vs. Pulaski Co.	3,000,000
(11)	Ark. Industrial Development Commission	
	(A) Grants for Local Government Financial Assistance in obtaining federal monies	1,500,000
(12)	Department of Correction	

	(A) Regional Jail Costs at Pine Bluff	2,400,000
	(B) Special Programs Unit Financing	432,000
	(C) Regional Jail Costs	2,400,000
	(D) Payment of Claim - Jones vs. Davis	1,035,000
(13)	State Building Services	
	(A) Repairs / Improvements to Gov's. Mansion	50,000
	(B) Roofing Federal Surplus Property	115,000
(14)	Department of Finance and Administration	
	(A) Implementing Personnel System (HRMS)	500,000
	(B) 4-H Center	250,000
	(C) Unallocated Major Maintenance	500,000
(15)	Higher Education	
	(A) Library Volumes	1,000,000
	(B) Research Equipment	4,000,000
	(C) Major Maintenance	4,000,000
	(D) Vocational Educational Fire Training	
	Satelite Facilities	150,000
(16)	University of Arkansas - Fayetteville	
	(A) Old Main Renovation	4,000,000
	(B) Poultry Disease Laboratory	450,618
(17)	University of Arkansas Medical Sciences	
	(A) Hospital Fire/Life Safety	250,000
	(B) Rural Medical Practice Student Loan	200,000
	(C) Arkansas Cancer Research Center	1,000,000
	(D) Research Building	1,250,000
(18)	University of Central Arkansas	
	(A) Torreyson Library	3,044,850
(19)	ASU Beebe - State Technical Institute	900,000
(20)	University of Arkansas at Monticello	
	(A) Utilities Distribution	400,000
(21)	SAU - El Dorado	
	(A) Classroom/Admin. Bldg.	200,000
(22)	Department of Parks & Tourism	
	(A) Moro Bay & Mississippi River State Parks	675,641
	(B) Parkin Indian Mound State Park	250,000
	(C) Woolly Hollow State Park	140,244

	(D) Cane Creek State Park	840,609
	(E) Scott Plantation Agriculture Museum	335,000
	(F) Devils Den State Park	100,000
	(G) Millwood State Park Pavillion	60,000
	(H) Mt. Nebo State Park	200,000
(23)	Livestock & Poultry Commission	
	(A) Livestock Shows	315,000
	(B) District Livestock Shows	200,000
(24)	Veterans Affairs	
	(A) National Cemeteries	75,000
(25)	Henderson State University	
	(A) Academic Renovation	130,000
	(B) Activities Center Project	200,000

In the event all of the allocations of monies for any of the purposes or projects listed above cannot be made due to the inadequacy of required matching monies, the Governor is hereby authorized to defer to a later time, such allocations and then proceed to authorize allocations of monies in accordance with the provisions of paragraph (B) of this Section. Such allocations of monies previously deferred, may be authorized by the Governor at any time after complying with the matching requirements.

(B) After financing is provided for the purposes and projects enumerated in Subsection (A) herein; from the remaining monies accruing to the benefit of the "76th Session Projects Account" of the "General Improvement Fund" as authorized by Section 1 of this Act, the Governor may direct the Chief Fiscal Officer of the State to effectuate an allocation of monies for the following purposes:

(1)	Dept. of Arkansas Heritage	
	(A) Old State House Enhancements	\$ 1,474,753
(2)	Dept. of Human Services	
	(A) Mental Health Improvements	750,000
	(B) Rehabilitation Services Improvements	50,000
	(C) Children & Family Services Improvements	250,000
	(D) Developmental Disabilities Improvements	500,000
	(E) Developmental Disabilities - Buses & Vans	500,000
	(F) Abestos Removal	250,000
	(G) Resident Treatment Cottages	250,000

	(H) Rodgers Hall	5,000,000
(3)	Secretary of State	
	(A) Capitol Building/Adj. Facilities Interior Repairs	785,600
	(B) Capitol Building Exterior Repairs	547,500
(4)	Ark. Development Finance Authority	
	(A) Federal Grant Matching for Municipal Wastewater Treatment Facilities	3,160,480
(5)	Military Department	
	(A) Armory Roof Repairs	149,500
(6)	Ark. Science & Technology Authority	
	(A) Matching Grants for Basic and Applied Research Programs	400,000
	(B) Higher Education Incubator Program	750,000
(7)	Forestry Commission	
	(A) Fire Fighting Equipment Purchase	500,000
	(B) Purchase and Repair of Aircraft	100,000
(8)	Waterways Commission	
	(A) Red River Waterway Trust Fund	250,000
(9)	State Crime Laboratory	
	(A) Equipment and Enhancements	75,000
(10)	Dept. of Education	
	(A) Educational TV Equipment	600,000
	(B) School for the Deaf - Asbestos Removal	550,673
	(C) School for the Blind - Enhancements	165,000
	(D) Vocational Technical Schools - Enhancements	1,000,000
	(E) Vocational Technical Schools - Instructional Equipment	1,250,000
	(F) State Library - Equipment Acquisition	75,000
	(G) State Library - Books & Materials	150,000
(11)	Department of Correction	
	(A) Regional Jail Costs	3,600,000
	(B) Wrightsville Alarm System	17,000
	(C) Kitchen Equipment Enhancements	140,000
(12)	Department of Finance and Administration	
	(A) ABC - Enforcement Radio Equipment	114,766
	(B) 4-H Center	250,000

	(C) Unallocated Major Maintenance	2,500,000
	(D) SARTI - El Dorado	1,000,000
	(E) Webber Radiation Therapy Institute	1,000,000
(13)	Higher Education	
	(A) Library Volumes	2,000,000
	(B) Research Equipment	2,000,000
	(C) Major Maintenance	2,000,000
	(D) Vocational Education Fire Training	
	Satelite Facilities	450,000
(14)	University of Arkansas - Fayetteville	
	(A) Cammack Campus	4,816,611
	(B) Chemistry Lab.	10,081,200
	(C) Waste Storage Facility	1,000,000
(15)	University of Arkansas Medical Sciences	
	(A) Hospital Fire/Life Safety	750,000
	(B) Rural Medical Practice Student Loan	184,000
(16)	University of Arkansas - Monticello	
	(A) Utilities Distribution	400,000
(17)	Henderson State University	
	(A) Academic Renovation	1,712,961
	(B) Activities Center Project	2,079,319
(18)	UALR School of Law	7,000,000
(19)	UALR - Science Complex	5,000,000
(20)	ASU - College of Fine Arts Planning	400,000
(21)	SAU - Tech - Technical Eng. Bldg.	4,214,560
(22)	SAU - El Dorado	
	(A) Classroom/ Admin. Bldg.	1,300,000
(23)	Arkansas Tech	
	(A) Admin. Bldg. Planning	600,000
(24)	Department of Parks & Tourism	
	(A) Devils Den State Park	100,000
	(B) Parkin Indian Mound State Park	64,490
	(C) Prairie Grove Battlefield	77,390

(C) After financing is provided for the purposes and projects enumerated in Subsections (A) and (B) herein; from the remaining monies accruing to the benefit of the "76th Session Projects Account" of the

"General Improvement Fund" as authorized by Section 1 of this Act, the Governor may direct the Chief Fiscal Officer of the State to effectuate an allocation of monies for the following purposes:

- (1) Ark. Science & Technology Authority
 - (A) Matching Grants for Basic and Applied Research Programs 600,000
- (2) Dept. of Education
 - (A) Educational TV Equipment 200,000
- (3) Department of Correction
 - (A) Regional Jail Costs 3,000,000
- (4) Department of Finance and Administration
 - (A) Unallocated Major Maintenance 2,000,000

SECTION 3. (A) In the event monies are not available or are estimated not to become available to fully finance all of the projects for which allocations are provided in Subsection (A) of Section 2 of this Act, the Governor shall notify the Chief Fiscal Officer of the State and the Arkansas Legislative Council of the projects in Subsection (A) of Section 2 of this Act for which financing shall be made available, and shall specify the projects for which funding is approved and the priorities to be followed in providing funds for each such project.

(B) In the event sufficient monies are not available or are estimated not to become available, to fully finance all of the projects for which allocations are provided in Subsection (B) of Section 2 of this Act, the Governor shall notify the Chief Fiscal Officer of the State and the Arkansas Legislative Council of the projects in Subsection (B) of Section 2 of this Act for which financing shall be made available, and shall specify the projects for which funding is approved and the priorities to be followed in providing funds for each such project.

(C) In the event sufficient monies are not available or are estimated not to become available, to fully finance all of the projects for which allocations are provided in Subsection (C) of Section 2 of this Act, the Governor shall notify the Chief Fiscal Officer of the State and the Arkansas Legislative Council of the projects in Subsection (C) of Section 2 of this Act for which financing shall be made available, and shall specify the projects for which funding is approved and the priorities to be followed in

providing funds for each such project.

SECTION 4. Any enactment of the 76th General Assembly appropriating or allocating funds to be payable from the "General Improvement Fund", for which a specific allocation of funds is authorized in Section 2 of this Act, shall be deemed to be payable from the "76th Session Projects Account" within the "General Improvement Fund" unless a specific intent is otherwise provided by law. Provided that monies reappropriated by the 76th General Assembly for projects for which appropriations were made by the 75th General Assembly, which are made payable from the "General Improvement Fund", shall be payable from the "75th Session Projects Account" of the "General Improvement Fund" and allowances shall be made therefore in arriving at the uncommitted and unobligated balance of monies in the "General Improvement Fund" before making transfers therefrom to the "76th Session Projects Account", as authorized by this Act.

SECTION 5. Section 8 of Act 750 of 1973, as amended [Ark. Stats. §13-531] is hereby amended by adding at the end thereof, the following new paragraph:

"(AO) There is hereby established on the books of the State Treasurer, State Auditor, and Chief Fiscal Officer of the State a fund to be known as the 'Construction Grants Revolving Loan Fund'. Such fund shall be used by the Arkansas Development Finance Authority to provide loans to entities of government of the State of Arkansas to participate in the Municipal Construction Grants Program (as provided by Public Law 92-500, as amended) and as administered by the Arkansas Department of Pollution Control and Ecology; and shall consist of those revenues as transferred from the 'General Improvement Fund', those revenues provided by the federal government, those revenues produced through the investment of these funds, and those revenues as provided elsewhere by law."

SECTION 6. Recognizing that Act 19 of 1987 transfers from the Revenue Commissioner to the Secretary of State the duty of collecting corporate franchise taxes, the Revenue Commissioner is hereby authorized to transfer to the Secretary of State such records and documents as are required by the Secretary of State for the implementation of Act 19 of 1987. Any such docu-

ments and records that are confidential under present law shall retain their confidentiality upon transfer to the Secretary of State.

SECTION 7. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 8. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of the Act are declared to be severable.

SECTION 9. Any appropriation provided by the Seventy Sixth General Assembly to the Arkansas Development Finance Authority and made payable from the General Improvement Fund for the purpose of allowing a fund transfer to the Arkansas Development Finance Authority's Construction Grants Revolving Loan Fund is hereby deemed to be appropriated to the Department of Pollution Control and Ecology.

SECTION 10. EMERGENCY. It is hereby found and determined that the 76th General Assembly of the State of Arkansas has considered and enacted appropriations for construction projects, and other programs to be financed from the accumulated surplus and reserve funds available in the State Treasury and that the immediate passage of this Act is necessary to establish a method of providing for the orderly financing and a system of priority for the financing of such projects. 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 its passage and approval.

/s/ Rep. John E. Miller

