

"AN ACT TO ESTABLISH A FUND TO PAY FOR THE HOUSING OF STATE INMATES IN LOCAL JAILS; AND TO PROVIDE A METHOD FOR TRANSFERRING REVENUES TO VARIOUS FUNDS AND FUND ACCOUNTS, AND FOR OTHER PURPOSES."

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

SECTION 1. On the last day of each month for the biennial period commencing July 1, 1987, and ending June 30, 1989, the State Treasurer, after making the deductions required from the "Net General Revenue", as set out in paragraph (b) of subsection (B) of Section 4 of Act 750 of 1973, as amended, [Ark. Stats. 13-510(B)(b)], shall also deduct from said "Net General Revenue" such amounts as are determined and certified to by the Chief Fiscal Officer of the State to be "New Revenue". "New Revenue" shall consist of that amount of General Revenue which was received during the month due solely to enactments of the Seventy-Sixth General Assembly meeting in First Extraordinary Session. The State Treasurer shall transfer three percent (3%) of such "New Revenue" to the Constitutional and Fiscal Agencies Fund or its successor, and ninety seven percent (97%) in accordance with the following procedure:

(A) The State Treasurer shall transfer to the funds and fund accounts listed below, until there has been transferred a total of \$16,286,000 for fiscal years 1987-88 and \$16,586,000 for fiscal year 1988-89 or as much thereof that may become available, provided that the State Treasurer shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth herein:

Fund	FY_88	FY_89
Department of Correction		
Inmate Care and Custody Fund Account	\$4,500,000	\$4,500,000
Transportation Fund Account	\$ 576,000	\$ 0
Vocational Education Administration		
Fund Account	\$ 310,000	\$ 0
Department of Human Services		
Mental Health Services Fund Account	\$ 900,000	\$2,086,000
Institutions of Higher Education:		
Arkansas State University Fund	\$ 917,000	\$ 919,000
Arkansas State University - Beebe Fund	94,000	95,000
Arkansas Tech University Fund	383,000	375,000
Henderson State University Fund	321,000	321,000
Southern Arkansas University Fund	421,000	412,000
University of Arkansas Fund	3,008,000	3,029,000
Univ. of Arkansas at Little Rock Fund	997,000	989,000
Univ. of Ark. Med. Center Fund	1,488,000	1,497,000
Univ. of Ark. Med. Ctr. - Indigent Care	249,000	237,000
Univ. of Arkansas at Monticello Fund	228,000	221,000
Univ. of Arkansas Pine Bluff Fund	382,000	382,000
Univ. of Central Arkansas Fund	762,000	765,000
East Arkansas Community College Fund	78,000	78,000
Garland County Community College Fund	85,000	86,000
Mississippi Cty. Community College Fund	78,000	80,000
North Arkansas Community College Fund	81,000	85,000

Phillips County Community College Fund	126,000	126,000
Rich Mountain Community College Fund	41,000	41,000
Westark Community College Fund	_____261,000	_____262,000
Total Institutions of Higher Education	\$10,000,000	\$10,000,000

(B) After making the maximum annual allocations provided for in Subsection (A) of Section 1 of this Act, the State Treasurer shall transfer any remaining "New Revenues" to the "General Revenues available for distribution" as provided for in Section 15 of Act 928 of 1987.

SECTION 2. It is herein provided that the Department of Education - Vocational Division may, after receiving the approval of the Chief Fiscal Officer of the State, transfer an amount not to exceed \$350,000, between the Education - Vocational Education Administration Fund account and the Education - Vocational Technical School Fund Account to provide funding for the Industry Training Program.

SECTION 3. Item 12 of Paragraph (A) of Section 2 of Act 1030 of 1987 is hereby amended to add the following:

"(E) Payments to County and Municipal Jails \$3,000,000

SECTION 4. CARRY FORWARD PROVISION. The unexpended balances in funding, up to a maximum of \$2,200,000 of General Revenue, provided the Divisions and Offices of the Department of Human Services for expenditures of State and/or federal funds as provided in the various appropriations acts for the Department of Human Services on June 30, 1987 shall be carried forward and made available for expenditure for the fiscal year ending June 30, 1988.

SECTION 5. The appropriations authorized in Item (06) of Section 3 of Act 1065 of 1987, the biennial appropriation for the Developmental Disabilities Services of the Department of Human Services, shall be used exclusively for grants to support Intermediate Care Facilities for the Mentally Retarded having not more than fifteen (15) beds and/or other community programs operated by non-profit community providers.

SECTION 6. TRANSFER OF FUNDS AND APPROPRIATION - PUBLIC SCHOOL COUNSELORS AND HEALTH SERVICES NURSES. (A) The Chief Fiscal Officer of the State is hereby authorized to transfer funds and appropriation, in such amounts as certified by the State Board of Education, from the Public School Fund to the Public Health Fund and the Mental Health Services Fund Account, in order to allow counseling and health services to be provided to the various school districts of this State, contingent upon the following conditions:

(1) Verification is provided that matching federal funds can be utilized by the Department of Health and the Mental Health Services Division of the Department of Human Services in providing counseling and nurses services to the various school districts of this State; and

(2) All legal contractual agreements which school districts have entered into with counselors and nurses have been satisfied.

SECTION 6. If by enactment of the Seventy-Sixth General Assembly, meeting in First Extraordinary Session, the "Early Collections of Gross Receipts Tax" measure becomes effective; the State Treasurer shall then perform the following procedure:

(A) Transfer the net amount of "windfall" attributable to such measure, "windfall" being defined as one month's collection of accelerated Gross Receipts Tax collections as contemplated in the "Early Collections of Gross Receipts Tax" measure as certified by the Chief Fiscal Officer of the State,

to the Revenue Holding Fund Account;

(B) On February 1, 1988, transfer of \$1,200,000 of such revenues from the Revenue Holding Fund Account, to the Revenue Division of the Department of Finance and Administration to defray the costs associated with the administration of the "Early Collections of Gross Receipts Tax" measure. These monies shall be in addition to and supplemental to any other monies available to the Revenue Division of the Department of Finance and Administration;

(C) The remaining amount of such revenues as certified by the Chief Fiscal Officer of the State generated from the "Early Collections of Gross Receipts Tax" shall be distributed by the State Treasurer as follows: (1) 50% thereof shall be distributed in accordance with the allocations of monies as set out in Section 2 (B) of this Act for the 1987-88 fiscal year, and (2) 50% thereof shall be held until July 1, 1988, and thence distributed in accordance with allocations of monies as set out in Section 2(B) of this Act for the 1988-89 fiscal year.

SECTION 7. Of the funds authorized by Act 923 of 1987 for the construction of Regional Inmate Facilities, or any other funds made available by the 76th General Assembly for Regional Inmate Facilities, the Department of Correction, upon approval of the Board of correction may in addition, utilize said funds for the purpose of paying rent on Regional Inmate Facilities.

SECTION 8. The provisions of this Act shall be in effect from its passage and approval until June 30, 1989.

SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth General Assembly, First Extraordinary Session, that the provisions of this Act are of critical importance to the provisions of governmental goods and services to the people of the State of Arkansas, and to provide sufficient funding for the Department of Correction to reimburse local governments for housing individuals sentenced to the Department and to provide funding for the Arkansas Department of Correction to incarcerate individuals who may cause harm to the citizens of the State of Arkansas. 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 July 1, 1987.

APPROVED: June 19, 1987

---