

**Stricken language will be deleted and underlined language will be added.
Act 258 of the Fiscal Session**

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010
4

As Engrossed: H2/23/10
A Bill

HOUSE BILL 1145

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
FINANCE AND ADMINISTRATION - DISBURSING OFFICER;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE
AND ADMINISTRATION - DISBURSING OFFICER
REAPPROPRIATION.

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

23 SECTION 1. REAPPROPRIATION - LEGISLATIVE BALANCES GENERAL IMPROVEMENT -
24 84TH SESSION. There is hereby appropriated, to the Department of Finance and
25 Administration - Disbursing Officer, to be payable from the General
26 Improvement Fund or its successor fund or fund accounts, for the Department
27 of Finance and Administration - Disbursing Officer, the following:

28 (A) Effective July 1, 2010, the balance of the appropriation provided in
29 Item (A) of Section 1 of Act 103 of 2009, for disbursing the balance of funds
30 which were made available by law to the projects in Section 3(b) of the
31 General Improvement Distribution Act of 2003, in a sum not to exceed
32 \$603,765.
33

34 SECTION 2. REAPPROPRIATION - LEGISLATIVE BALANCES GENERAL IMPROVEMENT -
35 85TH SESSION. There is hereby appropriated, to the Department of Finance and
36 Administration - Disbursing Officer, to be payable from the General

1 Improvement Fund or its successor fund or fund accounts, for the Department
2 of Finance and Administration - Disbursing Officer, the following:

3 (A) Effective July 1, 2010, the balance of the appropriation provided in
4 Item (A) of Section 2 of Act 103 of 2009, for disbursing the balance of funds
5 which were made available by law to the projects in Section 3(b) of the
6 General Improvement Distribution Act of 2005, in a sum not to exceed
7\$627,326.
8

9 SECTION 3. REAPPROPRIATION - TARP GRANT PROGRAM. There is hereby
10 appropriated, to the Department of Finance and Administration - Disbursing
11 Officer, to be payable from the General Improvement Fund or its successor
12 fund or fund accounts, for the Department of Finance and Administration -
13 Disbursing Officer, the following:

14 (A) Effective July 1, 2010, the balance of the appropriation provided in
15 Item (A) of Section 3 of Act 564 of 2009, for administering a grant program
16 with the sole purpose of dispersing ten thousand dollars (\$10,000) in equal
17 amounts to each of Arkansas' 75 counties to purchase tarps to cover county
18 owned trucks or for a grant for the purchase and distribution of
19 defibrillators by the Emergency Medical Services and Trauma Systems Section
20 of the Department of Health, in a sum not to exceed\$125,000.
21

22 SECTION 4. REAPPROPRIATION - GRANTS TO FIRE DEPARTMENTS. There is hereby
23 appropriated, to the Department of Finance and Administration - Disbursing
24 Officer, to be payable from the General Improvement Fund or its successor
25 fund or fund accounts, for the Department of Finance and Administration -
26 Disbursing Officer, the following:

27 (A) Effective July 1, 2010, the balance of the appropriation provided in
28 Item (A) of Section 4 of Act 103 of 2009, for grants to fire departments, in
29 a sum not to exceed\$140,116.
30

31 SECTION 5. REAPPROPRIATION - STATE MOTOR VEHICLE ACQUISITION. There is
32 hereby appropriated, to the Department of Finance and Administration -
33 Disbursing Officer, to be payable from the General Improvement Fund or its
34 successor fund or fund accounts, for the Department of Finance and
35 Administration - Disbursing Officer, the following:

36 (A) Effective July 1, 2010, the balance of the appropriation provided in

1 Item (A) of Section 5 of Act 103 of 2009, for one-time replacement, over a
2 two-year period, of state vehicles, in a sum not to exceed\$4,032,258.

3
4 SECTION 6. REAPPROPRIATION - MAJOR MAINTENANCE. There is hereby
5 appropriated, to the Department of Finance and Administration - Disbursing
6 Officer, to be payable from the General Improvement Fund or its successor
7 fund or fund accounts, for the Department of Finance and Administration -
8 Disbursing Officer, the following:

9 (A) Effective July 1, 2010, the balance of the appropriation provided in
10 Item (A) of Section 1 of Act 512 of 2009, for major maintenance, renovation,
11 repair or construction to provide contingency appropriation for capital
12 projects, in a sum not to exceed\$500,000.

13
14 SECTION 7. REAPPROPRIATION - STATE MOTOR VEHICLE ACQUISITION. There is
15 hereby appropriated, to the Department of Finance and Administration -
16 Disbursing Officer, to be payable from the General Improvement Fund or its
17 successor fund or fund accounts, for the Department of Finance and
18 Administration - Disbursing Officer, the following:

19 (A) Effective July 1, 2010, the balance of the appropriation provided in
20 Item (A) of Section 2 of Act 512 of 2009, for State Motor Vehicle
21 Acquisition, in a sum not to exceed\$12,000,000.

22
23 SECTION 8. REAPPROPRIATION - SUPPLEMENTAL COUNTY AND MUNICIPAL AID. There
24 is hereby appropriated, to the Department of Finance and Administration -
25 Disbursing Officer, to be payable from the General Improvement Fund or its
26 successor fund or fund accounts, for the Department of Finance and
27 Administration - Disbursing Officer, the following:

28 (A) Effective July 1, 2010, the balance of the appropriation provided in
29 Item (A) of Section 1 of Act 883 of 2009, for supplementing the distribution
30 of funds apportioned to each city or incorporated town in the same proportion
31 as authorized in Arkansas Code 19-5-601, in a sum not to exceed
32\$3,000,000.

33 (B) Effective July 1, 2010, the balance of the appropriation provided in
34 Item (B) of Section 1 of Act 883 of 2009, for supplementing the funds made
35 available to each of the seventy-five counties by the same distribution as
36 authorized in Arkansas Code 19-5-602(c)(1)(A), in a sum not to exceed

1 \$3,000,000.

2

3 SECTION 9. REAPPROPRIATION - GRANTS TO FIRE DEPARTMENTS. There is hereby
4 appropriated, to the Department of Finance and Administration - Disbursing
5 Officer, to be payable from the General Improvement Fund or its successor
6 fund or fund accounts, for the Department of Finance and Administration -
7 Disbursing Officer, the following:

8 (A) Effective July 1, 2010, the balance of the appropriation provided in
9 Item (A) of Section 1 of Act 884 of 2009, for grants to fire departments, in
10 a sum not to exceed \$5,000,000.

11

12 SECTION 10. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
13 appropriated, to the Department of Finance and Administration - Disbursing
14 Officer, to be payable from the General Improvement Fund or its successor
15 fund or fund accounts, for the Department of Finance and Administration -
16 Disbursing Officer, the following:

17 (A) Effective July 1, 2010, the balance of the appropriation provided in
18 Item (A) of Section 1 of Act 899 of 2009, for grants to the Arkansas Hunger
19 Relief Alliance to support hunger relief efforts throughout the state, in a
20 sum not to exceed \$2,000,000.

21

22 SECTION 11. REAPPROPRIATION - APPROPRIATION. There is hereby appropriated,
23 to the Department of Finance and Administration - Disbursing Officer, to be
24 payable from the General Improvement Fund or its successor fund or fund
25 accounts, for the Department of Finance and Administration - Disbursing
26 Officer, the following:

27 (A) Effective July 1, 2010, the balance of the appropriation provided in
28 Item (A) of Section 1 of Act 1084 of 2009, for a grant to learning facilities
29 and educational programs that promote skill building, physical fitness,
30 character development and life-enhancing values for children through the game
31 of golf, in a sum not to exceed \$100,000.

32

33 SECTION 12. REAPPROPRIATION - ARKANSAS SPORTS HALL OF FAME. There is
34 hereby appropriated, to the Department of Finance and Administration -
35 Disbursing Officer, to be payable from the General Improvement Fund or its
36 successor fund or fund accounts, for the Department of Finance and

1 Administration - Disbursing Officer, the following:

2 (A) Effective July 1, 2010, the balance of the appropriation provided in
3 Item (A) of Section 1 of Act 1167 of 2009, for construction, equipping,
4 maintenance, operations and personal services of the Arkansas Sports Hall of
5 Fame, in a sum not to exceed\$1,500,000.

6
7 SECTION 13. REAPPROPRIATION - PLANNING AND DEVELOPMENT GRANTS. There is
8 hereby appropriated, to the Department of Finance and Administration -
9 Disbursing Officer, to be payable from the General Improvement Fund or its
10 successor fund or fund accounts, for the Department of Finance and
11 Administration - Disbursing Officer, the following:

12 (A) Effective July 1, 2010, the balance of the appropriation provided in
13 Item (A) of Section 1 of Act 1297 of 2009, for Planning and Development
14 Grants, in a sum not to exceed\$5,000,000.

15 (B) Effective July 1, 2010, the balance of the appropriation provided in
16 Item (B) of Section 2 of Act 1297 of 2009, for the North Central Arkansas
17 Economic Development District, Inc., in a sum not to exceed\$2,000,000.

18 (C) Effective July 1, 2010, the balance of the appropriation provided in
19 Item (C) of Section 2 of Act 1297 of 2009, for the Northeast Arkansas
20 Economic Development District, Inc., in a sum not to exceed\$2,000,000.

21 (D) Effective July 1, 2010, the balance of the appropriation provided in
22 Item (D) of Section 2 of Act 1297 of 2009, for the Southeast Arkansas
23 Economic Development District, Inc., in a sum not to exceed\$2,000,000.

24 (E) Effective July 1, 2010, the balance of the appropriation provided in
25 Item (E) of Section 2 of Act 1297 of 2009, for the Southwest Economic
26 Development District of Arkansas, Inc., in a sum not to exceed....\$2,000,000.

27 (F) Effective July 1, 2010, the balance of the appropriation provided in
28 Item (G) of Section 2 of Act 1297 of 2009, for the West Central Arkansas
29 Economic Development District, Inc., in a sum not to exceed\$2,000,000.

30 (G) Effective July 1, 2010, the balance of the appropriation provided in
31 Item (H) of Section 2 of Act 1297 of 2009, for the Central Arkansas Economic
32 Development District, Inc., in a sum not to exceed\$2,000,000.

33
34 SECTION 14. REAPPROPRIATION - LITTLE ROCK ZOO IMPROVEMENTS. There is
35 hereby appropriated, to the Department of Finance and Administration -
36 Disbursing Officer, to be payable from the General Improvement Fund or its

1 successor fund or fund accounts, for the Department of Finance and
2 Administration - Disbursing Officer, the following:

3 (A) Effective July 1, 2010, the balance of the appropriation provided in
4 Item (A) of Section 1 of Act 1332 of 2009, for the design, purchase and
5 construction of improvements for the big cat display exhibit, giraffe barn
6 and exhibit, veterinary hospital, design, printing, and installation of
7 educational animal graphics, and general grounds maintenance, as well as
8 other costs associated with equipping or providing for the improvements, in a
9 sum not to exceed\$750,000.

10

11 SECTION 15. REAPPROPRIATION - RIVER TRAIL SYSTEM. There is hereby
12 appropriated, to the Department of Finance and Administration - Disbursing
13 Officer, to be payable from the General Improvement Fund or its successor
14 fund or fund accounts, for the Department of Finance and Administration -
15 Disbursing Officer, the following:

16 (A) Effective July 1, 2010, the balance of the appropriation provided in
17 Item (A) of Section 60 of Act 1499 of 2009, for a grant for construction,
18 renovation and improvements for a River Trail System, in a sum not to exceed
19\$1,500,000.

20

21 SECTION 16. REAPPROPRIATION - DRUG AND ALCOHOL ADDICTION. There is hereby
22 appropriated, to the Department of Finance and Administration - Disbursing
23 Officer, to be payable from the General Improvement Fund or its successor
24 fund or fund accounts, for the Department of Finance and Administration -
25 Disbursing Officer, the following:

26 (A) Effective July 1, 2010, the balance of the appropriation provided in
27 Item (A) of Section 61 of Act 1499 of 2009, for a grant to the Department of
28 Human Services - Division of Behavioral Health, for drug and alcohol
29 addiction prevention and Prevention Resource Centers for personal services
30 and operating expenses, construction improvements, equipment, renovation and
31 maintenance expenses, in a sum not to exceed\$32,000.

32

33 SECTION 17. REAPPROPRIATION - COUNTY HOSPITALS. There is hereby
34 appropriated, to the Department of Finance and Administration - Disbursing
35 Officer, to be payable from the General Improvement Fund or its successor
36 fund or fund accounts, for the Department of Finance and Administration -

1 Disbursing Officer, the following:

2 (A) Effective July 1, 2010, the balance of the appropriation provided in
3 Item (A) of Section 62 of Act 1499 of 2009, for a grant to the Department of
4 Human Services, for repairs, technology, training, infrastructure needs and
5 expenses for county hospitals, in a sum not to exceed\$2,000.

6
7 SECTION 18. REAPPROPRIATION - PRYOR CENTER. There is hereby appropriated,
8 to the Department of Finance and Administration - Disbursing Officer, to be
9 payable from the General Improvement Fund or its successor fund or fund
10 accounts, for the Department of Finance and Administration - Disbursing
11 Officer, the following:

12 (A) Effective July 1, 2010, the balance of the appropriation provided in
13 Item (A) of Section 63 of Act 1499 of 2009, for a grant to the University of
14 Arkansas - Fayetteville, for construction, equipping, improvements,
15 maintenance and operating expenses of the Pryor Center, in a sum not to
16 exceed\$50,000.

17
18 SECTION 19. REAPPROPRIATION - PROSTATE CANCER PROGRAM. There is hereby
19 appropriated, to the Department of Finance and Administration - Disbursing
20 Officer, to be payable from the General Improvement Fund or its successor
21 fund or fund accounts, for the Department of Finance and Administration -
22 Disbursing Officer, the following:

23 (A) Effective July 1, 2010, the balance of the appropriation provided in
24 Item (A) of Section 64 of Act 1499 of 2009, for a grant to the University of
25 Arkansas for Medical Sciences for construction, equipping, renovation,
26 improvements, upgrading, and personal, operating and programmatic expenses
27 and materials for a prostate cancer program, in a sum not to exceed
28\$50,000.

29
30 SECTION 20. REAPPROPRIATION - SPINAL TREATMENT PROGRAM. There is hereby
31 appropriated, to the Department of Finance and Administration - Disbursing
32 Officer, to be payable from the General Improvement Fund or its successor
33 fund or fund accounts, for the Department of Finance and Administration -
34 Disbursing Officer, the following:

35 (A) Effective July 1, 2010, the balance of the appropriation provided in
36 Item (A) of Section 65 of Act 1499 of 2009, for a grant to the Arkansas

1 Spinal Cord Commission for construction, equipping, renovation, improvements,
2 upgrading, and personal, operating and programmatic expenses and materials
3 for a spinal treatment program, in a sum not to exceed\$125,000.
4

5 SECTION 21. REAPPROPRIATION - MUSEUMS. There is hereby appropriated, to
6 the Department of Finance and Administration - Disbursing Officer, to be
7 payable from the General Improvement Fund or its successor fund or fund
8 accounts, for the Department of Finance and Administration - Disbursing
9 Officer, the following:

10 (A) Effective July 1, 2010, the balance of the appropriation provided in
11 Item (A) of Section 66 of Act 1499 of 2009, for a grant to the Arkansas
12 Department of Heritage for construction, equipping, renovation, improvements,
13 upgrading, repair, and personal, operating and programmatic expenses and
14 materials for museums, in a sum not to exceed\$150,000.
15

16 SECTION 22. REAPPROPRIATION - DIGITAL CONVERSION. There is hereby
17 appropriated, to the Department of Finance and Administration - Disbursing
18 Officer, to be payable from the General Improvement Fund or its successor
19 fund or fund accounts, for the Department of Finance and Administration -
20 Disbursing Officer, the following:

21 (A) Effective July 1, 2010, the balance of the appropriation provided in
22 Item (A) of Section 67 of Act 1499 of 2009, for a grant to the Arkansas
23 Educational Television Network for costs associated with construction,
24 equipping, renovation, improvements, upgrading, repair, and personal,
25 operating and programmatic expenses and materials for digital conversion, in
26 a sum not to exceed\$100,000.
27

28 SECTION 23. REAPPROPRIATION - SPARTA AQUIFER. There is hereby
29 appropriated, to the Department of Finance and Administration - Disbursing
30 Officer, to be payable from the General Improvement Fund or its successor
31 fund or fund accounts, for the Department of Finance and Administration -
32 Disbursing Officer, the following:

33 (A) Effective July 1, 2010, the balance of the appropriation provided in
34 Item (A) of Section 68 of Act 1499 of 2009, for a grant to the Arkansas
35 Natural Resources Commission for expenses and associated costs for the Sparta
36 Aquifer Project to benefit the state, in a sum not to exceed\$50,000.

1 SECTION 24. REAPPROPRIATION - FIRE ACADEMY. There is hereby appropriated,
2 to the Department of Finance and Administration - Disbursing Officer, to be
3 payable from the General Improvement Fund or its successor fund or fund
4 accounts, for the Department of Finance and Administration - Disbursing
5 Officer, the following:

6 (A) Effective July 1, 2010, the balance of the appropriation provided in
7 Item (A) of Section 69 of Act 1499 of 2009, for a grant to SAU - Tech for
8 construction, equipping, renovation, improvements, upgrading, repair, and
9 personal, operating and programmatic expenses and materials for the Fire
10 Academy, in a sum not to exceed\$75,000.

11
12 SECTION 25. REAPPROPRIATION - U OF A - FAYETTEVILLE. There is hereby
13 appropriated, to the Department of Finance and Administration - Disbursing
14 Officer, to be payable from the General Improvement Fund or its successor
15 fund or fund accounts, for the Department of Finance and Administration -
16 Disbursing Officer, the following:

17 (A) Effective July 1, 2010, the balance of the appropriation provided in
18 Item (A) of Section 71 of Act 1499 of 2009, for a grant to the University of
19 Arkansas - Fayetteville for personal services and operating expenses, capital
20 outlay and professional fees for recycling and green initiatives, in a sum
21 not to exceed\$200,000.

22
23 SECTION 26. SECTION 70 of Act 1499 of 2009 is amended to read as follows:

24 ~~SECTION 70. APPROPRIATION - PSYCHIATRIC RESIDENTIAL TREATMENT CENTERS.~~

25 ~~There is hereby appropriated to the Department of Finance and Administration~~
26 ~~- Disbursing Officer, to be payable from the General Improvement Fund or its~~
27 ~~successor fund or fund accounts, the following:~~

28 ~~(A) For a grant to the Department of Human Services - Division of~~
29 ~~Behavioral Health for construction, equipping, renovation, improvements,~~
30 ~~upgrading, repair, and personal, operating and programmatic expenses and~~
31 ~~materials for psychiatric residential treatment centers across the state, the~~
32 ~~sum of\$200,000.~~

33
34 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
35 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING -
36 GRANTS TO FIRE DEPARTMENTS. As referenced in Section 3 of Act 1442 of 2009

1 and Section 3 of Act 1443 of 2009, the remaining 25% of authorized funding to
2 be made available during the 2010-11 fiscal year from the funds made
3 available for allocation to the Legislative Division from funds deposited
4 into the 87th Session Projects Account within the General Improvement Fund
5 for the Department of Finance and Administration - Disbursing Officer for
6 grants to fire departments, the portion of these remaining funds for grants
7 to fire departments allocated to Pulaski County shall be distributed as
8 follows:

9 (a) seventy percent (70%) shall be distributed to the City of Little Rock
10 up to a maximum of forty-one thousand nine hundred fifty-four dollars
11 (\$41,954), and

12 (b) twenty-one percent (21%) shall be distributed to the City of North
13 Little Rock up to a maximum of twelve thousand five hundred one dollars
14 (\$12,501).

15 (c) seven percent (7%) shall be distributed to the City of Jacksonville up
16 to a maximum of four thousand forty-three dollars (\$4,043).

17 (d) two percent (2%) shall be distributed to the City of Sherwood up to a
18 maximum of one thousand four hundred two dollars (\$1,402).

19
20 If there is any funding remaining for Pulaski County after distributing
21 funding in accordance with subsections (a) through (d) of this Section, the
22 remaining funding allocated to Pulaski County, shall be distributed to fire
23 departments based on population.

24
25 SECTION 28. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
26 obligations otherwise incurred in relation to the project or projects
27 described herein in excess of the State Treasury funds actually available
28 therefor as provided by law. Provided, however, that institutions and
29 agencies listed herein shall have the authority to accept and use grants and
30 donations including Federal funds, and to use its unobligated cash income or
31 funds, or both available to it, for the purpose of supplementing the State
32 Treasury funds for financing the entire costs of the project or projects
33 enumerated herein. Provided further, that the appropriations and funds
34 otherwise provided by the General Assembly for Maintenance and General
35 Operations of the agency or institutions receiving appropriation herein shall
36 not be used for any of the purposes as appropriated in this act.

1 (B) The restrictions of any applicable provisions of the State Purchasing
2 Law, the General Accounting and Budgetary Procedures Law, the Revenue
3 Stabilization Law and any other applicable fiscal control laws of this State
4 and regulations promulgated by the Department of Finance and Administration,
5 as authorized by law, shall be strictly complied with in disbursement of any
6 funds provided by this act unless specifically provided otherwise by law.

7
8 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General Assembly
9 that any funds disbursed under the authority of the appropriations contained
10 in this act shall be in compliance with the stated reasons for which this act
11 was adopted, as evidenced by the Agency Requests, Executive Recommendations
12 and Legislative Recommendations contained in the budget manuals prepared by
13 the Department of Finance and Administration, letters, or summarized oral
14 testimony in the official minutes of the Arkansas Legislative Council or
15 Joint Budget Committee which relate to its passage and adoption.

16
17 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the General
18 Assembly, that the Constitution of the State of Arkansas prohibits the
19 appropriation of funds for more than a one (1) year period; that the
20 effectiveness of this Act on July 1, 2010, with the exception that Section 26
21 in this Act shall be in full force and effect from and after the date of its
22 passage and approval, is essential to the operation of the agency for which
23 the appropriations in this Act are provided, and that in the event of an
24 extension of the legislative session, the delay in the effective date of this
25 Act beyond July 1, 2010, with the exception that Section 26 in this Act shall
26 be in full force and effect from and after the date of its passage and
27 approval, could work irreparable harm upon the proper administration and
28 provision of essential governmental programs. Therefore, an emergency is
29 hereby declared to exist and this Act being necessary for the immediate
30 preservation of the public peace, health and safety shall be in full force
31 and effect from and after July 1, 2010, with the exception that Section 26 of
32 this Act shall be in full force and effect from and after the date of its
33 passage and approval.

34
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36 /s/ Joint Budget Committ APPROVED: 2/26/2010e