

Stricken language will be deleted and underlined language will be added.
Act 240 of the Fiscal Session

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

As Engrossed: S4/28/16
A Bill

SENATE BILL 113

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE
10 AND ADMINISTRATION - BUILDING AUTHORITY DIVISION FOR
11 THE FISCAL YEAR ENDING JUNE 30, 2017; AND FOR OTHER
12 PURPOSES.
13
14

15 **Subtitle**

16 AN ACT FOR THE DEPARTMENT OF FINANCE AND
17 ADMINISTRATION - BUILDING AUTHORITY
18 DIVISION APPROPRIATION FOR THE 2016-2017
19 FISCAL YEAR.
20
21

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

24 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby
25 established for the Department of Finance and Administration - Building
26 Authority Division for the 2016-2017 fiscal year, the following maximum
27 number of regular employees.
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| | | | Maximum Annual |
|------|-------|---------------------------|----------------|
| | | | Salary Rate |
| Item | Class | No. of | Fiscal Year |
| No. | Code | Title | 2016-2017 |
| 33 | (1) | U052U ABA DIRECTOR | 1 \$132,472 |
| 34 | (2) | U080U ABA DEPUTY DIRECTOR | 1 \$107,662 |
| 35 | (3) | B003N ABA STATE ARCHITECT | 1 GRADE N908 |
| 36 | (4) | B002N ABA STATE ENGINEER | 1 GRADE N908 |



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|----|------|-------|---------------------------------|----------|------------|
| 1 | (5) | G036C | ABA DIVISION MANAGER | 2 | GRADE C127 |
| 2 | (6) | B023C | ENGINEER, P.E. | 1 | GRADE C124 |
| 3 | (7) | B021C | LICENSED ARCHITECT | 2 | GRADE C124 |
| 4 | (8) | B042C | ENGINEER | 1 | GRADE C121 |
| 5 | (9) | S004C | MAINTENANCE MANAGER | 1 | GRADE C121 |
| 6 | (10) | R019C | BUDGET MANAGER | 1 | GRADE C120 |
| 7 | (11) | X047C | REAL ESTATE MANAGER | 1 | GRADE C120 |
| 8 | (12) | S013C | ABA BUILDING/PROGRAM SUPERVISOR | 2 | GRADE C118 |
| 9 | (13) | B076C | RESEARCH PROJECT ANALYST | 1 | GRADE C117 |
| 10 | (14) | V014C | BUYER | 1 | GRADE C116 |
| 11 | (15) | X129C | CONSTRUCTION INSPECTOR | 3 | GRADE C116 |
| 12 | (16) | B090C | ENGINEER TECHNICIAN | 1 | GRADE C116 |
| 13 | (17) | S022C | SKILLED TRADES SUPERVISOR | 1 | GRADE C116 |
| 14 | (18) | S031C | SKILLED TRADESMAN | 1 | GRADE C115 |
| 15 | (19) | X153C | REAL ESTATE ANALYST | 3 | GRADE C114 |
| 16 | (20) | R036C | HUMAN RESOURCES SPECIALIST | 1 | GRADE C113 |
| 17 | (21) | C056C | ADMINISTRATIVE SPECIALIST III | 1 | GRADE C112 |
| 18 | (22) | C073C | ADMINISTRATIVE SPECIALIST II | <u>1</u> | GRADE C109 |
| 19 | | | MAX. NO. OF EMPLOYEES | 29 | |

20

21 SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby
 22 appropriated, to the Department of Finance and Administration - Building
 23 Authority Division, to be payable from the Miscellaneous Agencies Fund
 24 Account, for personal services and operating expenses of the Department of
 25 Finance and Administration - Building Authority Division for the fiscal year
 26 ending June 30, 2017, the following:

27

| 28 | ITEM | FISCAL YEAR |
|----|---------------------------------|------------------|
| 29 | <u>NO.</u> | <u>2016-2017</u> |
| 30 | (01) REGULAR SALARIES | \$1,534,528 |
| 31 | (02) PERSONAL SERVICES MATCHING | 491,249 |
| 32 | (03) MAINT. & GEN. OPERATION | |
| 33 | (A) OPER. EXPENSE | 45,955 |
| 34 | (B) CONF. & TRAVEL | 6,200 |
| 35 | (C) PROF. FEES | 0 |
| 36 | (D) CAP. OUTLAY | 0 |

1 (E) DATA PROC. 0
 2 TOTAL AMOUNT APPROPRIATED \$2,077,932

3
 4 SECTION 3. REGULAR SALARIES - BUILDING MAINTENANCE. There is hereby
 5 established for the Department of Finance and Administration - Building
 6 Authority Division for the 2016-2017 fiscal year, the following maximum
 7 number of regular employees.

| | | | Maximum | Annual |
|------|-----------------------|-------------------------------------|-----------|-------------|
| | | | No. of | Salary Rate |
| Item | Class | Title | Employees | Fiscal Year |
| No. | Code | Title | | 2016-2017 |
| 13 | (1) G036C | ABA DIVISION MANAGER | 1 | GRADE C127 |
| 14 | (2) S004C | MAINTENANCE MANAGER | 1 | GRADE C121 |
| 15 | (3) G232C | ENERGY CONSERVATION MANAGER | 1 | GRADE C119 |
| 16 | (4) S013C | ABA BUILDING/PROGRAM SUPERVISOR | 4 | GRADE C118 |
| 17 | (5) S017C | MAINTENANCE COORDINATOR | 7 | GRADE C117 |
| 18 | (6) V014C | BUYER | 1 | GRADE C116 |
| 19 | (7) S022C | SKILLED TRADES SUPERVISOR | 4 | GRADE C116 |
| 20 | (8) S037C | ABA BUILDING MAINTENANCE SPECIALIST | 9 | GRADE C115 |
| 21 | (9) S031C | SKILLED TRADESMAN | 8 | GRADE C115 |
| 22 | (10) S046C | MAINTENANCE TECHNICIAN | 1 | GRADE C113 |
| 23 | (11) A098C | FISCAL SUPPORT SPECIALIST | 1 | GRADE C112 |
| 24 | (12) S065C | MAINTENANCE ASSISTANT | <u>2</u> | GRADE C108 |
| 25 | MAX. NO. OF EMPLOYEES | | 40 | |

26
 27 SECTION 4. EXTRA HELP - BUILDING MAINTENANCE. There is hereby
 28 authorized, for the Department of Finance and Administration - Building
 29 Authority Division for the 2016-2017 fiscal year, the following maximum
 30 number of part-time or temporary employees, to be known as "Extra Help",
 31 payable from funds appropriated herein for such purposes: nine (9) temporary
 32 or part-time employees, when needed, at rates of pay not to exceed those
 33 provided in the Uniform Classification and Compensation Act, or its
 34 successor, or this act for the appropriate classification.

35
 36 SECTION 5. APPROPRIATION - BUILDING MAINTENANCE. There is hereby

1 appropriated, to the Department of Finance and Administration - Building
 2 Authority Division, to be payable from the Building Authority Division
 3 Maintenance Fund, for personal services and operating expenses of the
 4 Department of Finance and Administration - Building Authority Division for
 5 the fiscal year ending June 30, 2017, the following:

| 7 ITEM | FISCAL YEAR |
|---|-----------------------------------|
| 8 <u>NO.</u> | <u>2016-2017</u> |
| 9 (01) REGULAR SALARIES | <i>\$1,474,802</i> |
| 10 (02) EXTRA HELP | 15,000 |
| 11 (03) PERSONAL SERVICES MATCHING | <i>544,463</i> |
| 12 (04) OVERTIME | 40,000 |
| 13 (05) MAINT. & GEN. OPERATION | |
| 14 (A) OPER. EXPENSE | <i>8,359,115</i> |
| 15 (B) CONF. & TRAVEL | 15,000 |
| 16 (C) PROF. FEES | 40,000 |
| 17 (D) CAP. OUTLAY | 84,100 |
| 18 (E) DATA PROC. | 0 |
| 19 (06) DEBT SERVICE | 2,307,186 |
| 20 (07) FACILITIES MANAGEMENT CONTINGENCY | 125,000 |
| 21 (08) RENT OF SPACE | <u>121,000</u> |
| 22 TOTAL AMOUNT APPROPRIATED | <u><u><i>\$13,125,666</i></u></u> |

23
 24 SECTION 6. REGULAR SALARIES - JUSTICE BUILDING OPERATIONS. There is
 25 hereby established for the Department of Finance and Administration -
 26 Building Authority Division for the 2016-2017 fiscal year, the following
 27 maximum number of regular employees.

| 30 | Maximum | Maximum Annual |
|--|------------------|--------------------|
| 31 Item Class | No. of | Salary Rate |
| 32 <u>No. Code Title</u> | <u>Employees</u> | <u>Fiscal Year</u> |
| | | <u>2016-2017</u> |
| 33 (1) S017C MAINTENANCE COORDINATOR | 1 | GRADE C117 |
| 34 (2) S037C ABA BUILDING MAINTENANCE SPECIALIST | <u>2</u> | GRADE C115 |
| 35 MAX. NO. OF EMPLOYEES | 3 | |

36

1 SECTION 7. APPROPRIATION - JUSTICE BUILDING OPERATIONS. There is
 2 hereby appropriated, to the Department of Finance and Administration -
 3 Building Authority Division, to be payable from the Building Authority
 4 Division Maintenance Fund, for personal services and operating expenses of
 5 the Department of Finance and Administration - Building Authority Division
 6 for the fiscal year ending June 30, 2017, the following:

| 8 ITEM | FISCAL YEAR |
|------------------------------------|-------------------------|
| 9 NO. | 2016-2017 |
| 10 (01) REGULAR SALARIES | \$108,104 |
| 11 (02) PERSONAL SERVICES MATCHING | 39,475 |
| 12 (03) MAINT. & GEN. OPERATION | |
| 13 (A) OPER. EXPENSE | 584,453 |
| 14 (B) CONF. & TRAVEL | 0 |
| 15 (C) PROF. FEES | 0 |
| 16 (D) CAP. OUTLAY | 0 |
| 17 (E) DATA PROC. | <u>0</u> |
| 18 TOTAL AMOUNT APPROPRIATED | <u><u>\$732,032</u></u> |

19
 20 SECTION 8. APPROPRIATION - JUSTICE BUILDING MAINTENANCE. There is
 21 hereby appropriated, to the Department of Finance and Administration -
 22 Building Authority Division, to be payable from the Justice Building Fund,
 23 for maintenance of the Justice Building by the Department of Finance and
 24 Administration - Building Authority Division for the fiscal year ending June
 25 30, 2017, the following:

| 27 ITEM | FISCAL YEAR |
|-----------------------------|-------------------------|
| 28 NO. | 2016-2017 |
| 29 (01) SPECIAL MAINTENANCE | <u><u>\$504,659</u></u> |

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 31 SECTION 9. APPROPRIATION - CRITICAL MAINTENANCE. There is hereby
 32 appropriated, to the Department of Finance and Administration - Building
 33 Authority Division, to be payable from the Building Authority Division
 34 Maintenance Fund, for critical maintenance of various state buildings by the
 35 Department of Finance and Administration - Building Authority Division for
 36 the fiscal year ending June 30, 2017, the following:

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| ITEM | FISCAL YEAR |
|--------------------------|--------------------|
| <u>NO.</u> | <u>2016-2017</u> |
| (01) SPECIAL MAINTENANCE | <u>\$5,000,000</u> |

SECTION 10. APPROPRIATION - ACQUISITION AND MAINTENANCE. There is hereby appropriated, to the Department of Finance and Administration - Building Authority Division, to be payable from the Building Authority Division Real Estate Fund, for the acquisition and maintenance of facilities and land by the Department of Finance and Administration - Building Authority Division for the fiscal year ending June 30, 2017, the following:

| ITEM | FISCAL YEAR |
|-------------------------------|--------------------|
| <u>NO.</u> | <u>2016-2017</u> |
| (01) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | \$300,000 |
| (B) CONF. & TRAVEL | 0 |
| (C) PROF. FEES | 0 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | 0 |
| (02) CONSTRUCTION/RENOVATIONS | <u>2,500,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$2,800,000</u> |

SECTION 11. APPROPRIATION - JUSTICE BUILDING CONSTRUCTION - CASH. There is hereby appropriated, to the Department of Finance and Administration - Building Authority Division, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Finance and Administration - Building Authority Division, for operating expenses of the Department of Finance and Administration - Building Authority Division for the fiscal year ending June 30, 2017, the following:

| ITEM | FISCAL YEAR |
|------------------------------|------------------|
| <u>NO.</u> | <u>2016-2017</u> |
| (01) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | \$55,000 |
| (B) CONF. & TRAVEL | 0 |

| | | |
|---|---------------------------|---------------------------|
| 1 | (C) PROF. FEES | 35,000 |
| 2 | (D) CAP. OUTLAY | 0 |
| 3 | (E) DATA PROC. | 0 |
| 4 | (02) DEBT SERVICE | <u>1,200,000</u> |
| 5 | TOTAL AMOUNT APPROPRIATED | <u><u>\$1,290,000</u></u> |

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7 SECTION 12. APPROPRIATION - SUSTAINABLE BUILDING DESIGN PROGRAM. There

8 is hereby appropriated, to the Department of Finance and Administration -

9 Building Authority Division, to be payable from the Sustainable Building

10 Design Revolving Loan Fund, for transfers or loans to state agencies, boards

11 or commissions for construction, renovation, maintenance and operating

12 expenses for the Department of Finance and Administration - Building

13 Authority Division - Sustainable Building Design Program for the fiscal year

14 ending June 30, 2017, the following:

| | | |
|----|------------|----------------------------|
| 16 | ITEM | FISCAL YEAR |
| 17 | <u>NO.</u> | <u>2016-2017</u> |
| 18 | (01) LOANS | <u><u>\$10,739,371</u></u> |

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20 SECTION 13. APPROPRIATION - CASH. There is hereby appropriated, to the

21 Department of Finance and Administration - Building Authority Division, to be

22 payable from the cash fund deposited in the State Treasury as determined by

23 the Chief Fiscal Officer of the State, for building improvements by the

24 Department of Finance and Administration - Building Authority Division for

25 the fiscal year ending June 30, 2017, the following:

| | | |
|----|----------------------------|---------------------------|
| 27 | ITEM | FISCAL YEAR |
| 28 | <u>NO.</u> | <u>2016-2017</u> |
| 29 | (01) BUILDING IMPROVEMENTS | <u><u>\$3,291,000</u></u> |

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31 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

33 OF FUNDS. Department of Finance and Administration - Building Authority

34 Division may from time to time as may be necessary and in such amounts as may

35 be necessary and with the approval of the Chief Fiscal Officer of the State,

36 request a transfer of funds from the State Central Services Fund to the

1 Arkansas Building Authority Maintenance Fund for operation of the Justice
2 Building for actual expenditures, in an amount not to exceed the dollar
3 amount appropriated in Section 7. Upon his approval, the Chief Fiscal
4 Officer of the State shall then initiate the necessary transfer documents to
5 reflect the transfer upon the fiscal records of the State Auditor, the State
6 Treasurer, the Chief Fiscal Officer of the State and Department of Finance
7 and Administration - Building Authority Division.

8 The provisions of this section shall be in effect only from July 1, ~~2015~~
9 2016 through June 30, ~~2016~~ 2017.

10
11 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

13 RESTRICTIONS. Department of Finance and Administration - Building Authority
14 Division shall not demolish the 501 Building, formerly known as the Aegon
15 building, but shall retain the building as suitable office space to be used
16 by state agencies, boards, commissions, offices and departments.

17 The provisions of this section shall be in effect only from July 1, ~~2015~~
18 2016 through June 30, ~~2016~~ 2017.

19
20 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
22 OF FUNDS. The Department of Finance and Administration - Building Authority
23 Division is hereby authorized, after seeking the approval of the Chief Fiscal
24 Officer of the State and the Arkansas Legislative Council or Joint Budget
25 Committee to request transfer from the appropriation made in Section 5 for
26 Building Maintenance to the Acquisition and Maintenance appropriation in
27 Section 10 and to receive from another state agency that seeks like approvals
28 its authority, appropriation and the transfer of funds to be deposited into
29 the Building Authority Division Real Estate Fund to become part of the
30 Acquisition and Maintenance appropriation, and to be used for any purposes as
31 set forth by law for said Real Estate Fund.

32 Determining the maximum number of employees and the maximum amount of
33 appropriation and general revenue funding for a state agency each fiscal year
34 is the prerogative of the General Assembly. This is usually accomplished by
35 delineating such maximums in the appropriation act(s) for a state agency and
36 the general revenue allocations authorized for each fund and fund account by

1 amendment to the Revenue Stabilization law. Further, the General Assembly
2 has determined that the Department of Finance and Administration - Building
3 Authority Division may operate more efficiently if some flexibility is
4 provided to the Department of Finance and Administration - Building Authority
5 Division authorizing broad powers under this section. Therefore, it is both
6 necessary and appropriate that the General Assembly maintain oversight by
7 requiring prior approval of the Legislative Council or Joint Budget Committee
8 as provided by this section. The requirement of approval by the Legislative
9 Council or Joint Budget Committee is not a severable part of this section.
10 If the requirement of approval by the Legislative Council or Joint Budget
11 Committee is ruled unconstitutional by a court of competent jurisdiction,
12 this entire section is void.

13 The provisions of this section shall be in effect only from July 1, ~~2015~~
14 2016 through June 30, ~~2016~~ 2017.

15

16 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

18 DEPARTMENT OF FINANCE AND ADMINISTRATION - BUILDING AUTHORITY DIVISION
19 CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. The Department of Finance and
20 Administration - Building Authority Division may transfer appropriation and
21 funds as needed from the Facilities Management Contingency Appropriation in
22 Section 5 of this Act to any appropriation authorized for the Department of
23 Finance and Administration - Building Authority Division.

24 The provisions of this section shall be in effect only from July 1, ~~2015~~
25 2016 through June 30, ~~2016~~ 2017.

26

27 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
29 TO FACILITIES MANAGEMENT CONTINGENCY APPROPRIATION AUTHORITY. (a) In order to
30 provide a more cost effective method to address the emerging infrastructure
31 needs of Arkansas State Government, appropriations and funds transferred to
32 the Facilities Management Contingency Appropriation are to be used in the
33 event that the Department of Finance and Administration - Building Authority
34 Division executes one or more building contracts or maintenance agreements
35 with State Agencies, and the appropriations or funds otherwise provided for
36 the Department of Finance and Administration - Building Authority Division

1 are not sufficient to address those needs, and it is more cost effective for
2 the Department of Finance and Administration - Building Authority Division to
3 execute these services. Any State Agency may transfer or deposit funds and
4 appropriations to the Department of Finance and Administration - Building
5 Authority Division - Facilities Management Contingency Appropriation
6 authorized in Section 5 of this Act to execute one or more building contracts
7 or maintenance agreements with said State Agencies. The Department of
8 Finance and Administration - Building Authority Division shall provide
9 justification to the Chief Fiscal Officer of the State for the need of such
10 appropriations and funds transfers and seek and receive approval of the Chief
11 Fiscal Officer of the State. Department of Finance and Administration -
12 Building Authority Division shall then seek and receive the approval of the
13 Arkansas Legislative Council or Joint Budget Committee. The requirement of
14 approval by the Arkansas Legislative Council or Joint Budget Committee is not
15 a severable part of the section. If the requirement of approval by the
16 Arkansas Legislative Council or Joint Budget Committee is ruled
17 unconstitutional by a court of competent jurisdiction, this entire section is
18 void.

19 (b) The Chief Fiscal Officer of the State shall make the necessary
20 adjustments on his or her books and the books of the Auditor of the State for
21 the transfer or deposit of the funds and appropriations from each State
22 Agency to the appropriation authorized in Section 5 of this Act and to the
23 various Department of Finance and Administration - Building Authority
24 Division accounts to be used exclusively by the Department of Finance and
25 Administration - Building Authority Division for the fiscal year.

26 The provisions of this section shall be in effect only from July 1, ~~2015~~
27 2016 through June 30, ~~2016~~ 2017.

28

29 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

31 SUSTAINABLE BUILDING DESIGN PROGRAM - TRANSFER. In the event there is not
32 sufficient appropriation and/or funding provided for by the General Assembly
33 for any state agency, board or commission to participate in the Sustainable
34 Building Design Program for renovations of state owned property which exceeds
35 two hundred fifty thousand dollars (\$250,000), the agency may request a
36 transfer from the Sustainable Building Design Program appropriation

1 authorized in Section 12 of this Act from the Chief Fiscal Officer of the
2 State. The request shall clearly state the amount required and such other
3 information as may be required by the Chief Fiscal Officer of the State
4 necessary to make a decision regarding the request. Upon approval of the
5 Chief Fiscal Officer of the State and prior review by the Arkansas
6 Legislative Council or Joint Budget Committee, the State Auditor shall be
7 notified as of the amount and the purposes for which the appropriation and/or
8 funding is to be transferred and shall be established upon the books of the
9 Department of Finance and Administration and the State Auditor. If desired,
10 the appropriation may be supplemental to those regularly appropriated for
11 like purposes by the General Assembly for that agency.

12 Provided further, that all state agencies, boards or commissions shall
13 have prior approval by the Department of Finance and Administration -
14 Building Authority Division as authorized for the Sustainable Building Design
15 Program in accordance with established Rules and Regulations.

16 The provisions of this section shall be in effect only from July 1, ~~2015~~
17 2016 through June 30, ~~2016~~ 2017.

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19 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 SUSTAINABLE BUILDING DESIGN PROGRAM - REVOLVING LOAN FUND. The Sustainable
22 Building Design Program Appropriation is intended to provide additional
23 appropriation authority for the Sustainable Building Design Program. Funding
24 for the program may be made available by the Chief Fiscal Officer of the
25 State, in the form of a loan, from a transfer from the Sustainable Building
26 Design Revolving Loan Fund after the required review by the Arkansas
27 Legislative Council or Joint Budget Committee, approval by the Chief Fiscal
28 Officer of the State and approval through rules and regulations established
29 and administered by the Department of Finance and Administration - Building
30 Authority Division. Moneys made available for the repayment of a loan shall
31 be deposited to the credit of the Sustainable Building Design Revolving Loan
32 Fund as a "Refund to Expenditure" for the year in which the deposit is made.
33 In the event that the funds for the repayment of a loan are held in
34 depositories other than the State Treasury, the administrative head of the
35 affected state agency shall issue a check drawn against the funds, which
36 shall be deposited in the Sustainable Building Design Revolving Loan Fund.

1 The provisions of this section shall be in effect only from July 1, ~~2015~~
2 2016 through June 30, ~~2016~~ 2017.

3
4 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
6 SUSTAINABLE BUILDING DESIGN PROGRAM - RULES AND REGULATIONS. Rules and
7 Regulations shall be established and administered by the Department of
8 Finance and Administration - Building Authority Division for the Sustainable
9 Building Design Program prior to the implementation of any transfers of
10 appropriation and/or funding. The Rules and Regulations shall be reviewed by
11 the Legislative Council or Joint Budget Committee prior to implementation.

12 The provisions of this section shall be in effect only from July 1, ~~2015~~
13 2016 through June 30, ~~2016~~ 2017.

14
15 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
17 TRANSFER. The Chief Fiscal Officer of the State may transfer from time to
18 time on his or her books and those of the State Treasurer and the Auditor of
19 the State funding which is made available from General Improvement Funds
20 allocated and distributed to the Department of Finance and Administration -
21 Building Authority Division in an amount not to exceed three million dollars
22 (\$3,000,000) from the General Improvement Fund or its successor fund or fund
23 accounts to the Sustainable Building Design Revolving Loan Fund to provide
24 funds for the appropriation provided herein or for appropriation authority as
25 may be provided by law to provide loans to agencies for the Sustainable
26 Building Design Program.

27 The provisions of this section shall be in effect only from July 1, ~~2015~~
28 2016 through June 30, ~~2016~~ 2017.

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30 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
32 TRANSFER. From time to time, the Chief Fiscal Officer of the State may
33 transfer on his or her books and those of the State Treasurer and the Auditor
34 of the State the sum not to exceed twelve million dollars (\$12,000,000) from
35 Federal Funds as determined by the Chief Fiscal Officer of the State to the
36 Sustainable Building Design Revolving Loan Fund to provide funds for the

1 appropriations herein.

2 The provisions of this section shall be in effect only from July 1, 2015
3 2016 through June 30, ~~2016~~ 2017.

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5 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
7 TRANSFER. The Department of Finance and Administration - Building Authority
8 Division is authorized to transfer any unspent funds remaining in any cash
9 fund account established for the management of a state owned facility managed
10 by, but not owned by, the Department of Finance and Administration - Building
11 Authority Division to the Department of Finance and Administration - Building
12 Authority Maintenance Fund to support the facility's Maintenance and
13 Operations appropriations.

14 The provisions of this section shall be in effect only from July 1, 2015
15 2016 through June 30, ~~2016~~ 2017.

16
17 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
19 TRANSFER. Department of Finance and Administration - Building Authority
20 Division may from time to time as may be necessary and in such amounts as may
21 be necessary and with the approval of the Chief Fiscal Officer of the State,
22 request a transfer of funds from the Insurance Department Trust Fund to the
23 Building Authority Division Real Estate Fund to provide funds for land
24 acquisition and building construction in an amount not to exceed the dollar
25 amount appropriated in Section 10. Upon his approval, the Chief Fiscal
26 Officer of the State shall then initiate the necessary transfer documents to
27 reflect the transfer upon the fiscal records of the State Auditor, the State
28 Treasurer, the Chief Fiscal Officer of the State and Department of Finance
29 and Administration - Building Authority Division.

30 The provisions of this section shall be in effect only from July 1,
31 2016 through June 30, 2017.

32
33 SECTION 26. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
34 authorized by this act shall be limited to the appropriation for such agency
35 and funds made available by law for the support of such appropriations; and
36 the restrictions of the State Procurement Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
2 Procedures and Restrictions Act, or their successors, and other fiscal
3 control laws of this State, where applicable, and regulations promulgated by
4 the Department of Finance and Administration, as authorized by law, shall be
5 strictly complied with in disbursement of said funds.

6
7 SECTION 27. LEGISLATIVE INTENT. It is the intent of the General
8 Assembly that any funds disbursed under the authority of the appropriations
9 contained in this act shall be in compliance with the stated reasons for
10 which this act was adopted, as evidenced by the Agency Requests, Executive
11 Recommendations and Legislative Recommendations contained in the budget
12 manuals prepared by the Department of Finance and Administration, letters, or
13 summarized oral testimony in the official minutes of the Arkansas Legislative
14 Council or Joint Budget Committee which relate to its passage and adoption.

15
16 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the
17 General Assembly, that the Constitution of the State of Arkansas prohibits
18 the appropriation of funds for more than a one (1) year period; that the
19 effectiveness of this Act on July 1, 2016 is essential to the operation of
20 the agency for which the appropriations in this Act are provided, and that in
21 the event of an extension of the legislative session, the delay in the
22 effective date of this Act beyond July 1, 2016 could work irreparable harm
23 upon the proper administration and provision of essential governmental
24 programs. Therefore, an emergency is hereby declared to exist and this Act
25 being necessary for the immediate preservation of the public peace, health
26 and safety shall be in full force and effect from and after July 1, 2016.

27
28 */s/Joint Budget Committee*

29
30
31 **APPROVED: 05/09/2016**