Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1	State of Arkansas	As Engrossed: S3/29/99	
2	82nd General Assembly	A Bill	Act 1315 of 1999
3	Regular Session, 1999		SENATE BILL 630
4			
5	By: Senator Mahony		
6			
7			
8		For An Act To Be Entitled	
9	"AN ACT	TO AMEND CERTAIN PROVISIONS IN ARKANSAS	CODE
10	6-5-301,	26-51-205 AND 19-6-467 TO CHANGE THE ME	THOD
11	OF DETER	MINING DISTRIBUTION OF FUNDS IN THE	
12	EDUCATI O	NAL EXCELLENCE TRUST FUND AND TO THE WOR	K
13	FORCE 20	OO DEVELOPMENT FUND; AND FOR OTHER PURPO	SES. "
14			
15		Subtitle	
16	"CH	IANGE THE METHOD OF DETERMINING THE	
17	DI S	STRIBUTION OF FUNDS TO THE EDUCATIONAL	
18	EXC	CELLENCE TRUST FUND AND TO THE WORK	
19	FOR	RCE 2000 DEVELOPMENT FUND."	
20			
21			
22	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKANS	AS:
23			
24	SECTION 1. Ar	kansas Code 6-5-301 is amended to read a	s follows:
25	"6-5-301. Crea	tion - Funding.	
26	(a) There is	hereby established on the books of the T	reasurer of State,
27	Auditor of State, an	d the Chief Fiscal Officer of the State	a fund to be known
28	as the 'Educational	Excellence Trust Fund', which shall cons	ist of the
29	following amounts: 0	ne hundred ninety-two million five hundr	ed thousand
30	dollars (\$192,500,00	0) for each of the fiscal years ending J	une 30, 1997, 1998
31	and 1999. Provided h	owever, that as soon as possible prior t	o the convening of
32	the Eighty-Second General Assembly, the Chief Fiscal Officer of the State will		
33	conduct such studies as are necessary, in cooperation with the Legislative		
34	Joint Auditing Committee, to determine the amounts of revenue which would have		
35	been attributable to the fiscal years ending June 30, 1998 and 1999 from those		
36	additional revenues enacted by the Seventy-Eight [sic] General Assembly		



As Engrossed: S3/29/99

1	meeting in regular session and make the amount so determined available for
2	each fiscal year of the succeeding biennium. The phrase 'those additional
3	revenues' shall be limited to any increases enacted in those taxes classified
4	as general revenues in the Revenue Classification Law, § 19-6-201 enacted
5	during the Seventy-Eighth General Assembly meeting in regular session.
6	(b) On the last day of each month, the Treasurer of State, after making
7	the deductions required from the net general revenues as set out in § 19-5-
8	202(b)(2)(B)(i), shall also deduct from said net revenues such amounts as are
9	certified by the Chief Fiscal Officer of the State as having accrued from
10	those additional revenues and transfer them to the Educational Excellence
11	Trust Fund.
12	(a) There is hereby established on the books of the Treasurer of State,
13	Auditor of State, and the Chief Fiscal Officer of the State a fund to be known
14	as the 'Educational Excellence Trust Fund'. For each of the State's fiscal
15	years, the Chief Fiscal Officer of the State shall determine as an annual
16	allocation for this fund an amount based on the total net general revenues, as
17	enumerated in the Revenue Classification Law, §§ 19-6-201(1) and 19-6-201(2),
18	which were collected in the immediate past year, times a factor of 0.1414.
19	(b) On the last day of each month of the respective fiscal year, the
20	Chief Fiscal Officer of the State shall certify to the Treasurer of State an
21	amount based on one-twelfth (1/12) of the annual allocation determined in § 6-
22	5-301(a) for transfer to the Educational Excellence Trust Fund. The Treasurer
23	of State shall make such transfer after making the deductions required from
24	the net general revenues as set out in § 19-5-202(b)(2)(B)(i)."
25	
26	SECTION 2. Arkansas Code 26-51-205(c)(2)(B)(i) is amended to read
27	as follows:
28	" (B)(i) On the last day of each month, the Chief Fiscal
29	Officer of the State shall certify to the State Treasurer an amount equal to
30	one-twelfth (1/12) of sixteen million five hundred thousand dollars
31	(\$16,500,000) for each fiscal year of the biennial period ending June 30,
32	1999. Provided however, that as soon as possible prior to the convening of the
33	Eighty-Second General Assembly, the Chief Fiscal Officer of the State will
34	conduct such studies as are necessary, in cooperation with the Legislative
35	Joint Auditing Committee, to determine the amounts of revenue which would have
36	been attributable to the fiscal years ending June 30, 1998 and 1999 due to the

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As Engrossed: S3/29/99

1	provisions of this section and make the amount so determined available for
2	each fiscal year of the succeeding biennium.
3	(B)(i) For each of the State's fiscal years, the Chief
4	Fiscal Officer of the State shall determine as an annual allocation available
5	under the provisions of this section an amount based on the total net
6	revenues, as enumerated in §§ 26-51-205(a) and 26-51-205(b), which were
7	collected in the immediate past year, times a factor of .0678. On the last
8	day of each month of the respective fiscal year, the Chief Fiscal Officer of
9	the State shall certify to the Treasurer of State an amount based on one-
10	twelfth (1/12) of the annual allocation provided in this section for transfer
11	<u>as specified in § 26-51-205(c)(2)(B)(ii).</u> "
12	
13	SECTION 3. Arkansas Code 26-51-205(d)(2) is amended to change the
14	supervision and method of distribution from the Workforce 2000 Development
15	Fund for the post-secondary and vocational institutions to read as follows:
16	"(2) The distribution of the proceeds shall be supervised by the
17	State Board of Higher Education and the State Board of Vocational Workforce
18	Education and Career Opportunities for the postsecondary vocational-technical
19	schools, technical institutes, and comprehensive lifelong learning centers.
20	The distribution of the proceeds for technical colleges, community colleges,
21	or any postsecondary vocational-technical school, technical institute,
22	comprehensive lifelong learning center, or technical college that merges with
23	<u>a two-year branch of a four-year institution, a four-year institution, a</u>
24	technical college, or a community college shall continue at the same
25	proportion as those distributions made in fiscal year 1996-97, excluding one-
26	time capital disbursements and professional development disbursements made in
27	fiscal year 1996-97 equal to the amount of funds distributed in fiscal year
28	<u>1998-99; any increase in the amount of funds in the Work Force 2000</u>
29	Development Fund above the amount distributed in fiscal year 1998-99 shall be
30	supervised by the Arkansas Higher Education Coordinating Board and shall be
31	distributed after a review of needs including, but not limited to, equity
32	considerations and workforce development and after consultation with the
33	presidents and chancellors of the technical and former technical colleges."
34	
35	SECTION 4. Arkansas Code 19-6-467 is amended to read as follows:
36	"19-6-467. Work Force 2000 Development Fund.

3

As Engrossed: S3/29/99

SB630

1 The Work Force 2000 Development Fund shall consist of those special 2 revenues as specified in subdivision (163) of § 19-6-301 and all other 3 revenues as may be authorized by law, there to be used exclusively for the 4 authorized educational activities of those entities as set out in §§ 26-51-205(d)(1)(A) and 26-51-205(d)(1)(B), and as distributed under the supervision 5 of the State Board of Higher Education and the State Board of Vocational and 6 7 Technical Education as set out in § 26-51-205(d)(2)." 8 9 SECTION 5. All provisions of this act of a general and permanent nature 10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code 11 Revision Commission shall incorporate the same in the Code. 12 13 SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect 14 15 other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this 16 act are declared to be severable. 17 18 19 SECTION 7. All laws and parts of laws in conflict with this act are 20 hereby repealed. 21 22 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the 23 Eighty-second General Assembly that the changes required by this act must take 24 effect at the beginning of the state fiscal year and not to do so will disrupt the flow of funds for vocational education. Therefore, an emergency is 25 declared to exist and this act being immediately necessary for the 26 27 preservation of the public peace, health and safety shall become effective on July 1, 1999. 28 /s/ Mahony 29 30 31 32 APPROVED: 4/12/1999 33 34 35 36

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