

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

# A Bill

SENATE BILL 50

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS BUILDING  
10 AUTHORITY FOR THE FISCAL YEAR ENDING JUNE 30, 2013;  
11 AND FOR OTHER PURPOSES.  
12  
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## Subtitle

14 AN ACT FOR THE ARKANSAS BUILDING AUTHORITY  
15 APPROPRIATION FOR THE 2012-2013 FISCAL  
16 YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby  
23 established for the Arkansas Building Authority for the 2012-2013 fiscal  
24 year, the following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
30	(1) U052U	ABA DIRECTOR	1	\$128,589
31	(2) U080U	ABA DEPUTY DIRECTOR	1	\$104,506
32	(3) B003N	ABA STATE ARCHITECT	1	GRADE N908
33	(4) B002N	ABA STATE ENGINEER	1	GRADE N908
34	(5) G036C	ABA DIVISION MANAGER	3	GRADE C127
35	(6) G047C	ATTORNEY SPECIALIST	1	GRADE C126
36	(7) B023C	ENGINEER, P.E.	3	GRADE C124



1	(8)	B021C	LICENSED ARCHITECT	2	GRADE C124
2	(9)	D039C	NETWORK SUPPORT SPECIALIST	1	GRADE C123
3	(10)	B042C	ENGINEER	1	GRADE C121
4	(11)	R014C	PERSONNEL MANAGER	1	GRADE C121
5	(12)	R019C	BUDGET MANAGER	1	GRADE C120
6	(13)	X047C	REAL ESTATE MANAGER	1	GRADE C120
7	(14)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
8	(15)	S013C	ABA BUILDING/PROGRAM SUPERVISOR	2	GRADE C118
9	(16)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
10	(17)	B076C	RESEARCH PROJECT ANALYST	1	GRADE C117
11	(18)	V014C	BUYER	1	GRADE C116
12	(19)	X129C	CONSTRUCTION INSPECTOR	4	GRADE C116
13	(20)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
14	(21)	S031C	SKILLED TRADESMAN	1	GRADE C115
15	(22)	X153C	REAL ESTATE ANALYST	3	GRADE C114
16	(23)	R036C	HUMAN RESOURCES SPECIALIST	2	GRADE C113
17	(24)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
18	(25)	C073C	ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE C109
19			MAX. NO. OF EMPLOYEES	38	

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21 SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby  
 22 appropriated, to the Arkansas Building Authority, to be payable from the  
 23 Miscellaneous Agencies Fund Account, for personal services and operating  
 24 expenses of the Arkansas Building Authority for the fiscal year ending June  
 25 30, 2013, the following:

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27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2012-2013</u>
29	(01) REGULAR SALARIES	\$1,978,632
30	(02) PERSONAL SERVICES MATCHING	573,132
31	(03) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	48,594
33	(B) CONF. & TRAVEL	6,200
34	(C) PROF. FEES	0
35	(D) CAP. OUTLAY	0
36	(E) DATA PROC.	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$2,606,558

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 3 SECTION 3. REGULAR SALARIES - BUILDING MAINTENANCE. There is hereby  
 4 established for the Arkansas Building Authority for the 2012-2013 fiscal  
 5 year, the following maximum number of regular employees.

6	7	8	9	10	11	12
					Maximum Annual	
					Salary Rate	
	Item Class			Maximum	Fiscal Year	
	No. Code Title			No. of	2012-2013	
				Employees		
11	(1) G036C	ABA DIVISION MANAGER		1	GRADE C127	
12	(2) B023C	ENGINEER, P.E.		1	GRADE C124	
13	(3) S013C	ABA BUILDING/PROGRAM SUPERVISOR		5	GRADE C118	
14	(4) S017C	MAINTENANCE COORDINATOR		8	GRADE C117	
15	(5) V014C	BUYER		1	GRADE C116	
16	(6) S022C	SKILLED TRADES SUPERVISOR		5	GRADE C116	
17	(7) S037C	ABA BUILDING MAINTENANCE SPECIALIST		12	GRADE C115	
18	(8) S031C	SKILLED TRADESMAN		10	GRADE C115	
19	(9) S047C	LANDSCAPE SUPERVISOR		1	GRADE C113	
20	(10) S046C	MAINTENANCE TECHNICIAN		2	GRADE C113	
21	(11) A098C	FISCAL SUPPORT SPECIALIST		2	GRADE C112	
22	(12) S065C	MAINTENANCE ASSISTANT		<u>3</u>	GRADE C108	
23		MAX. NO. OF EMPLOYEES		51		

24  
 25 SECTION 4. EXTRA HELP - BUILDING MAINTENANCE. There is hereby  
 26 authorized, for the Arkansas Building Authority for the 2012-2013 fiscal  
 27 year, the following maximum number of part-time or temporary employees, to be  
 28 known as "Extra Help", payable from funds appropriated herein for such  
 29 purposes: nine (9) temporary or part-time employees, when needed, at rates  
 30 of pay not to exceed those provided in the Uniform Classification and  
 31 Compensation Act, or its successor, or this act for the appropriate  
 32 classification.

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 34 SECTION 5. APPROPRIATION - BUILDING MAINTENANCE. There is hereby  
 35 appropriated, to the Arkansas Building Authority, to be payable from the  
 36 Arkansas Building Authority Maintenance Fund, for personal services and

1 operating expenses of the Arkansas Building Authority for the fiscal year  
 2 ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
6 (01) REGULAR SALARIES	\$1,952,129
7 (02) EXTRA HELP	15,000
8 (03) PERSONAL SERVICES MATCHING	638,265
9 (04) OVERTIME	40,000
10 (05) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	7,743,818
12 (B) CONF. & TRAVEL	15,000
13 (C) PROF. FEES	40,000
14 (D) CAP. OUTLAY	79,100
15 (E) DATA PROC.	0
16 (06) DEBT SERVICE	2,307,183
17 (07) FACILITIES MANAGEMENT CONTINGENCY	125,000
18 (08) RENT OF SPACE	<u>121,000</u>
19 TOTAL AMOUNT APPROPRIATED	<u><u>\$13,076,495</u></u>

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 21 SECTION 6. REGULAR SALARIES - JUSTICE BUILDING OPERATIONS. There is  
 22 hereby established for the Arkansas Building Authority for the 2012-2013  
 23 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>Salary Rate</u>
		<u>Employees</u>	<u>Fiscal Year</u>
			<u>2012-2013</u>
29 (1)	S017C MAINTENANCE COORDINATOR	1	GRADE C117
30 (2)	S037C ABA BUILDING MAINTENANCE SPECIALIST	<u>2</u>	GRADE C115
31	MAX. NO. OF EMPLOYEES	3	

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 33 SECTION 7. APPROPRIATION - JUSTICE BUILDING OPERATIONS. There is  
 34 hereby appropriated, to the Arkansas Building Authority, to be payable from  
 35 the Arkansas Building Authority Maintenance Fund, for personal services and  
 36 operating expenses of the Arkansas Building Authority for the fiscal year

1 ending June 30, 2013, the following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2012-2013</u>
5 (01) REGULAR SALARIES	\$111,968
6 (02) PERSONAL SERVICES MATCHING	36,503
7 (03) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	584,453
9 (B) CONF. & TRAVEL	0
10 (C) PROF. FEES	0
11 (D) CAP. OUTLAY	0
12 (E) DATA PROC.	<u>0</u>
13 TOTAL AMOUNT APPROPRIATED	<u><u>\$732,924</u></u>

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15 SECTION 8. APPROPRIATION - JUSTICE BUILDING MAINTENANCE. There is  
 16 hereby appropriated, to the Arkansas Building Authority, to be payable from  
 17 the Justice Building Fund, for maintenance of the Justice Building by the  
 18 Arkansas Building Authority for the fiscal year ending June 30, 2013, the  
 19 following:

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21 ITEM	FISCAL YEAR
22 <u>NO.</u>	<u>2012-2013</u>
23 (01) SPECIAL MAINTENANCE	<u><u>\$504,659</u></u>

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25 SECTION 9. APPROPRIATION - CRITICAL MAINTENANCE. There is hereby  
 26 appropriated, to the Arkansas Building Authority, to be payable from the  
 27 Arkansas Building Authority Maintenance Fund, for critical maintenance of  
 28 various state buildings by the Arkansas Building Authority for the fiscal  
 29 year ending June 30, 2013, the following:

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31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2012-2013</u>
33 (01) SPECIAL MAINTENANCE	<u><u>\$3,260,000</u></u>

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35 SECTION 10. APPROPRIATION - ACQUISITION AND MAINTENANCE. There is  
 36 hereby appropriated, to the Arkansas Building Authority, to be payable from

1 the Arkansas Building Authority Real Estate Fund, for the acquisition and  
 2 maintenance of facilities and land by the Arkansas Building Authority for the  
 3 fiscal year ending June 30, 2013, the following:

4	5 ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2012-2013</u>
7	(01) MAINT. & GEN. OPERATION	
8	(A) OPER. EXPENSE	\$300,000
9	(B) CONF. & TRAVEL	0
10	(C) PROF. FEES	0
11	(D) CAP. OUTLAY	0
12	(E) DATA PROC.	0
13	(02) CONSTRUCTION/RENOVATIONS	<u>1,200,000</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,500,000</u></u>

15  
 16 SECTION 11. APPROPRIATION - JUSTICE BUILDING CONSTRUCTION - CASH.

17 There is hereby appropriated, to the Arkansas Building Authority, to be  
 18 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas  
 19 Building Authority, for operating expenses of the Arkansas Building Authority  
 20 for the fiscal year ending June 30, 2013, the following:

21	22 ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2012-2013</u>
24	(01) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	\$55,000
26	(B) CONF. & TRAVEL	0
27	(C) PROF. FEES	35,000
28	(D) CAP. OUTLAY	0
29	(E) DATA PROC.	0
30	(02) DEBT SERVICE	<u>1,200,000</u>
31	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,290,000</u></u>

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 33 SECTION 12. APPROPRIATION - ARKANSAS SERVICES CENTER - OPERATIONS.

34 There is hereby appropriated, to the Arkansas Building Authority, to be  
 35 payable from the Arkansas Building Authority Maintenance Fund, for  
 36 maintenance and operating expenses of the Arkansas Services Center by the

1 Arkansas Building Authority for the fiscal year ending June 30, 2013, the  
 2 following:

4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2012-2013</u>
6	(01) AR SERVICES CENTER	<u>\$2,250,000</u>

8 SECTION 13. REGULAR SALARIES - SUSTAINABLE BUILDING DESIGN PROGRAM.

9 There is hereby established for the Arkansas Building Authority for the 2012-  
 10 2013 fiscal year, the following maximum number of regular employees.

12			Maximum Annual
13			Salary Rate
14	Item Class	Maximum	Fiscal Year
15	<u>No. Code Title</u>	<u>No. of</u>	<u>2012-2013</u>
16	(1) G232C ENERGY CONSERVATION MANAGER	<u>1</u>	GRADE C119
17	MAX. NO. OF EMPLOYEES	1	

19 SECTION 14. APPROPRIATION - SUSTAINABLE BUILDING DESIGN PROGRAM. There  
 20 is hereby appropriated, to the Arkansas Building Authority, to be payable  
 21 from the Arkansas Building Authority Maintenance Fund, for personal services  
 22 and operating expenses of the Arkansas Building Authority - Sustainable  
 23 Building Design Program for the fiscal year ending June 30, 2013, the  
 24 following:

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2012-2013</u>
28	(01) REGULAR SALARIES	\$42,535
29	(02) PERSONAL SERVICES MATCHING	13,114
30	(03) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	6,639
32	(B) CONF. & TRAVEL	0
33	(C) PROF. FEES	0
34	(D) CAP. OUTLAY	5,000
35	(E) DATA PROC.	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$67,288</u>

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SECTION 15. APPROPRIATION - SUSTAINABLE BUILDING DESIGN PROGRAM  
REVOLVING LOAN FUND. There is hereby appropriated, to the Arkansas Building  
Authority, to be payable from the Sustainable Building Design Revolving Loan  
Fund, for transfers or loans to state agencies, boards or commissions for  
construction, renovation, maintenance and operating expenses for the  
Sustainable Building Design Program for the fiscal year ending June 30, 2013,  
the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) LOANS	\$3,000,000
(02) LOAN REPAYMENT GRANTS	<u>12,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$15,000,000</u></u>

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
OF FUNDS. Arkansas Building Authority may from time to time as may be  
necessary and in such amounts as may be necessary and with the approval of  
the Chief Fiscal Officer of the State, request a transfer of funds from the  
State Central Services Fund to the Arkansas Building Authority Maintenance  
Fund for operation of the Justice Building for actual expenditures, in an  
amount not to exceed the dollar amount appropriated in Section 7. Upon his  
approval, the Chief Fiscal Officer of the State shall then initiate the  
necessary transfer documents to reflect the transfer upon the fiscal records  
of the State Auditor, the State Treasurer, the Chief Fiscal Officer of the  
State and Arkansas Building Authority.

The provisions of this section shall be in effect only from July 1, ~~2010~~  
2012 through June 30, ~~2011~~ 2013.

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
RESTRICTIONS. Arkansas Building Authority shall not demolish the 501  
Building, formerly known as the Aegon building, but shall retain the building  
as suitable office space to be used by state agencies, boards, commissions,  
offices and departments.



1 The provisions of this section shall be in effect only from July 1, ~~2010~~  
2 2012 through June 30, ~~2011~~ 2013.

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4 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
6 OF FUNDS. The Arkansas Building Authority is hereby authorized, after seeking  
7 the approval of the Chief Fiscal Officer of the State and the Arkansas  
8 Legislative Council or Joint Budget Committee to request transfer from the  
9 appropriation made in Section 5 for Building Maintenance to the Acquisition  
10 and Maintenance appropriation in Section 10 and to receive from another state  
11 agency that seeks like approvals its authority, appropriation and the  
12 transfer of funds to be deposited into the Arkansas Building Authority Real  
13 Estate Fund to become part of the Acquisition and Maintenance appropriation,  
14 and to be used for any purposes as set forth by law for said Real Estate  
15 Fund.

16 Determining the maximum number of employees and the maximum amount of  
17 appropriation and general revenue funding for a state agency each fiscal year  
18 is the prerogative of the General Assembly. This is usually accomplished by  
19 delineating such maximums in the appropriation act(s) for a state agency and  
20 the general revenue allocations authorized for each fund and fund account by  
21 amendment to the Revenue Stabilization law. Further, the General Assembly  
22 has determined that the Arkansas Building Authority may operate more  
23 efficiently if some flexibility is provided to the Arkansas Building  
24 Authority authorizing broad powers under this section. Therefore, it is both  
25 necessary and appropriate that the General Assembly maintain oversight by  
26 requiring prior approval of the Legislative Council or Joint Budget Committee  
27 as provided by this section. The requirement of approval by the Legislative  
28 Council or Joint Budget Committee is not a severable part of this section.  
29 If the requirement of approval by the Legislative Council or Joint Budget  
30 Committee is ruled unconstitutional by a court of competent jurisdiction,  
31 this entire section is void.

32 The provisions of this section shall be in effect only from July 1, ~~2010~~  
33 2012 through June 30, ~~2011~~ 2013.

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

1 BUILDING AUTHORITY CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. The  
2 Arkansas Building Authority may transfer appropriation and funds as needed  
3 from the Facilities Management Contingency Appropriation in Section 5 of this  
4 Act to any appropriation authorized for the Arkansas Building Authority.  
5 The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012  
6 through June 30, ~~2011~~ 2013.

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8 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
10 TO FACILITIES MANAGEMENT CONTINGENCY APPROPRIATION AUTHORITY. (a) In order to  
11 provide a more cost effective method to address the emerging infrastructure  
12 needs of Arkansas State Government, appropriations and funds transferred to  
13 the Facilities Management Contingency Appropriation are to be used in the  
14 event that the Arkansas Building Authority executes one or more building  
15 contracts or maintenance agreements with State Agencies, and the  
16 appropriations or funds otherwise provided for the Arkansas Building  
17 Authority are not sufficient to address those needs, and it is more cost  
18 effective for the Arkansas Building Authority to execute these services. Any  
19 State Agency may transfer or deposit funds and appropriations to the Arkansas  
20 Building Authority - Facilities Management Contingency Appropriation  
21 authorized in Section 5 of this Act to execute one or more building contracts  
22 or maintenance agreements with said State Agencies. The Arkansas Building  
23 Authority shall provide justification to the Chief Fiscal Officer of the  
24 State for the need of such appropriations and funds transfers and seek and  
25 receive approval of the Chief Fiscal Officer of the State. Arkansas Building  
26 Authority shall then seek and receive the approval of the Arkansas  
27 Legislative Council or Joint Budget Committee. The requirement of approval  
28 by the Arkansas Legislative Council or Joint Budget Committee is not a  
29 severable part of the section. If the requirement of approval by the  
30 Arkansas Legislative Council or Joint Budget Committee is ruled  
31 unconstitutional by a court of competent jurisdiction, this entire section is  
32 void.

33 (b) The Chief Fiscal Officer of the State shall make the necessary  
34 adjustments on his or her books and the books of the Auditor of the State for  
35 the transfer or deposit of the funds and appropriations from each State  
36 Agency to the appropriation authorized in Section 5 of this Act and to the

1 various Arkansas Building Authority accounts to be used exclusively by the  
2 Arkansas Building Authority for fiscal year.

3 (c) The provisions of this section shall be in effect only from July 1,  
4 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

5  
6 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 SUSTAINABLE BUILDING DESIGN PROGRAM - TRANSFER. In the event there is not  
9 sufficient appropriation and/or funding provided for by the General Assembly  
10 for any state agency, board or commission to participate in the Sustainable  
11 Building Design Program for renovations of state owned property which exceeds  
12 two hundred fifty thousand dollars (\$250,000), the agency may request a  
13 transfer from the Sustainable Building Design Program appropriation  
14 authorized in Section 15 of this Act from the Chief Fiscal Officer of the  
15 State. The request shall clearly state the amount required and such other  
16 information as may be required by the Chief Fiscal Officer of the State  
17 necessary to make a decision regarding the request. Upon approval of the  
18 Chief Fiscal Officer of the State and prior review by the Arkansas  
19 Legislative Council or Joint Budget Committee, the State Auditor shall be  
20 notified as of the amount and the purposes for which the appropriation and/or  
21 funding is to be transferred and shall be established upon the books of the  
22 Department of Finance and Administration and the State Auditor. If desired,  
23 the appropriation may be supplemental to those regularly appropriated for  
24 like purposes by the General Assembly for that agency.

25 Provided further, that all state agencies, boards or commissions shall  
26 have prior approval by the Arkansas Building Authority as authorized for the  
27 Sustainable Building Design Program in accordance with established Rules and  
28 Regulations.

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30 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

32 SUSTAINABLE BUILDING DESIGN PROGRAM - REVOLVING LOAN FUND. The Sustainable  
33 Building Design Program Appropriation is intended to provide additional  
34 appropriation authority for the Sustainable Building Design Program. Funding  
35 for the program may be made available by the Chief Fiscal Officer of the  
36 State, in the form of a loan, from a transfer from the Sustainable Building

1 Design Revolving Loan Fund after the required review by the Arkansas  
2 Legislative Council or Joint Budget Committee, approval by the Chief Fiscal  
3 Officer of the State and approval through rules and regulations established  
4 and administered by the Arkansas Building Authority. Moneys made available  
5 for the repayment of a loan shall be deposited to the credit of the  
6 Sustainable Building Design Revolving Loan Fund as a "Refund to Expenditure"  
7 for the year in which the deposit is made. In the event that the funds for  
8 the repayment of a loan are held in depositories other than the State  
9 Treasury, the administrative head of the affected state agency shall issue a  
10 check drawn against the funds, which shall be deposited in the Sustainable  
11 Building Design Revolving Loan Fund.

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13 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
15 SUSTAINABLE BUILDING DESIGN PROGRAM - RULES AND REGULATIONS. Rules and  
16 Regulations shall be established and administered by the Arkansas Building  
17 Authority for the Sustainable Building Design Program prior to the  
18 implementation of any transfers of appropriation and/or funding. The Rules  
19 and Regulations shall be reviewed by the Legislative Council or Joint Budget  
20 Committee prior to implementation.

21

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

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34 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
36 TRANSFER. From time to time, the Chief Fiscal Officer of the State may

1 transfer on his or her books and those of the State Treasurer and the Auditor  
 2 of the State the sum not to exceed twelve million dollars (\$12,000,000) from  
 3 Federal Funds as determined by the Chief Fiscal Officer of the State to the  
 4 Sustainable Building Design Revolving Loan Fund to provide funds for the  
 5 appropriations herein.

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7 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
 9 TRANSFER. The Arkansas Building Authority is authorized to transfer any  
 10 unspent funds remaining in any cash fund account established for the  
 11 management of a state owned facility managed by, but not owned by, the  
 12 Arkansas Building Authority to the Arkansas Building Authority Maintenance  
 13 Fund to support the facility's Maintenance and Operations appropriations.

14

15 SECTION 27. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
 16 authorized by this act shall be limited to the appropriation for such agency  
 17 and funds made available by law for the support of such appropriations; and  
 18 the restrictions of the State Procurement Law, the General Accounting and  
 19 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 20 Procedures and Restrictions Act, or their successors, and other fiscal  
 21 control laws of this State, where applicable, and regulations promulgated by  
 22 the Department of Finance and Administration, as authorized by law, shall be  
 23 strictly complied with in disbursement of said funds.

24

25 SECTION 28. LEGISLATIVE INTENT. It is the intent of the General  
 26 Assembly that any funds disbursed under the authority of the appropriations  
 27 contained in this act shall be in compliance with the stated reasons for  
 28 which this act was adopted, as evidenced by the Agency Requests, Executive  
 29 Recommendations and Legislative Recommendations contained in the budget  
 30 manuals prepared by the Department of Finance and Administration, letters, or  
 31 summarized oral testimony in the official minutes of the Arkansas Legislative  
 32 Council or Joint Budget Committee which relate to its passage and adoption.

33

34 SECTION 29. EMERGENCY CLAUSE. It is found and determined by the  
 35 General Assembly, that the Constitution of the State of Arkansas prohibits  
 36 the appropriation of funds for more than a one (1) year period; that the

1 effectiveness of this Act on July 1, 2012 is essential to the operation of  
2 the agency for which the appropriations in this Act are provided, and that in  
3 the event of an extension of the legislative session, the delay in the  
4 effective date of this Act beyond July 1, 2012 could work irreparable harm  
5 upon the proper administration and provision of essential governmental  
6 programs. Therefore, an emergency is hereby declared to exist and this Act  
7 being necessary for the immediate preservation of the public peace, health  
8 and safety shall be in full force and effect from and after July 1, 2012.

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11 **APPROVED: 02/24/2012**  
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