

ARKANSAS SENATE
87th General Assembly - Fiscal Session, 2010
Amendment Form

JBC 02/23/10 (9)

Subtitle of Senate Bill No. 128

"AN ACT TO AMEND THE ARKANSAS REVENUE STABILIZATION LAW OF
ARKANSAS."

Amendment No. 1 to Senate Bill No. 128.

Amend Senate Bill No. 128 as originally introduced:

Delete SECTION 12 of the bill in its entirety and substitute the following:

" SECTION 12. Arkansas Code 19-5-401 is amended to read as follows:
19-5-401. Allocations for fiscal year 2010-2011 and thereafter.
Commencing with the fiscal year beginning July 1, 2010, and each fiscal year thereafter, the Treasurer of State shall transfer all remaining general revenues available for distribution on the last day of business in July 2010, and on the last day of business in each calendar month thereafter during the fiscal year to the various funds and fund accounts participating in general revenues in the proportions of the maximum allocation as the individual allocation to the fund or fund account bears to the total of the maximum allocation as provided in § 19-5-402 (a) and (b).

SECTION 13. Arkansas Code 19-5-402 is amended to read as follows:
19-5-402. Maximum allocations of revenues for fiscal year 2010-2011 and thereafter.
(a) The Treasurer of State shall first make monthly allocations in the proportions set out in this subsection to the funds and fund accounts listed below until there has been transferred a total of four billion four hundred forty-four million three hundred eighty-six thousand eight hundred eighty-six dollars (\$4,444,386,886) or so much thereof as may become available; provided, that the Treasurer of State 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 in this subsection:

Name of Fund or Fund Account	Maximum Allocation
PUBLIC SCHOOL FUND	
(1) Department of Education Public School Fund Account	\$1,849,659,072
(2) State Library Public School Fund Account	\$5,586,000
(3) Department of Workforce Education Public School Fund Account	\$31,794,368
GENERAL EDUCATION FUND	
(1) Department of Education Fund Account	\$14,937,308



(2) Educational Facilities Partnership Fund Account	\$34,300,000
(3) Division of Public School Academic Facilities and Transportation Fund Account	\$2,445,861
(4) Educational Television Fund Account	\$5,015,074
(5) School for the Blind Fund Account	\$5,976,429
(6) School for the Deaf Fund Account	\$10,324,071
(7) State Library Fund Account	\$3,292,415
(8) Department of Workforce Education Fund Account	\$3,000,085
(9) Rehabilitation Services Fund Account	\$12,724,276
Technical Institutes:	
(10) Crowley's Ridge Technical Institute Fund Account	\$2,545,200
(11) Northwest Technical Institute Fund Account	\$2,925,221
(12) Riverside Vocational Technical School Fund Account	\$2,183,684
DEPARTMENT OF HUMAN SERVICES FUND	
(1) Department of Human Services Administration Fund Account	\$15,400,230
(2) Aging and Adult Services Fund Account	17,127,005
(3) Children and Family Services Fund Account	48,759,859
(4) Child Care and Early Childhood Education Fund Account	554,897
(5) Youth Services Fund Account	47,618,545
(6) Developmental Disabilities Services Fund Account	60,957,348
(7) Medical Services Fund Account	4,921,727
(8) Department of Human Services Grants Fund Account	681,123,937
(9) Behavioral Health Services Fund Account	74,477,648
(10) State Services for the Blind Fund Account	1,856,271
(11) County Operations Fund Account	46,485,655
STATE GENERAL GOVERNMENT FUND	
(1) Department of Arkansas Heritage Fund Account	\$6,091,383
(2) Department of Agriculture Fund Account	15,577,344
(3) Department of Labor Fund Account	2,880,667
(4) Department of Higher Education Fund Account	3,260,033
(5) Higher Education Grants Fund Account	33,967,975
(6) Department of Economic Development Fund Account	10,113,853
(7) Department of Correction Inmate Care and Custody Fund Account	290,303,309
(8) Department of Community Correction Fund Account	66,411,671
(9) State Military Department Fund Account	9,428,475
(10) Parks and Tourism Fund Account	22,182,349
(11) Arkansas Department of Environmental Quality Fund Account	4,146,686
(12) Miscellaneous Agencies Fund Account	52,906,716
COUNTY AID FUND	\$19,346,715
COUNTY JAIL REIMBURSEMENT FUND	\$9,310,034
CRIME INFORMATION CENTER FUND	\$3,707,481
CHILD SUPPORT ENFORCEMENT FUND	\$12,754,634
PUBLIC HEALTH FUND	\$89,585,008
MERIT ADJUSTMENT FUND	\$-
MOTOR VEHICLE ACQUISITION REVOLVING FUND	\$-

MUNICIPAL AID FUND	\$26,956,395
DEPARTMENT OF ARKANSAS STATE POLICE FUND	\$61,267,585
DEPARTMENT OF WORKFORCE SERVICES FUND	\$3,718,301
INSTITUTIONS OF HIGHER EDUCATION	
(1) ARKANSAS STATE UNIVERSITY FUND	\$55,010,602
(2) ARKANSAS TECH UNIVERSITY FUND	\$30,884,854
(3) HENDERSON STATE UNIVERSITY FUND	\$18,429,638
(4) SOUTHERN ARKANSAS UNIVERSITY FUND	\$15,214,941
(5) UNIVERSITY OF ARKANSAS FUND	\$114,163,942
(6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY	\$2,292,034
(7) UNIVERSITY OF ARKANSAS FUND-DIVISION OF AGRICULTURE	\$61,846,385
(8) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL	\$2,260,712
(9) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE	\$1,798,041
(10) SCHOOL FOR MATH, SCIENCES AND ARTS FUND	\$1,096,111
(11) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND	\$19,810,458
(12) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND	\$58,850,881
(13) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND	\$96,084,489
(14) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - CHILD SAFETY CENTER	\$709,643
(15) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE	\$5,261,049
(16) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND	\$15,592,060
(17) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND	\$24,846,570
(18) UNIVERSITY OF CENTRAL ARKANSAS FUND	\$51,183,065
(19) ARKANSAS NORTHEASTERN COLLEGE FUND	\$8,446,792
(20) ARKANSAS STATE UNIVERSITY - BEEBE FUND	\$11,861,989
(21) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND	\$3,501,593
(22) ARKANSAS STATE UNIVERSITY - NEWPORT FUND	\$5,901,288
(23) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$3,277,034
(24) EAST ARKANSAS COMMUNITY COLLEGE FUND	\$5,700,154
(25) MID-SOUTH COMMUNITY COLLEGE FUND	\$3,734,180
(26) NATIONAL PARK COMMUNITY COLLEGE FUND	\$8,765,128
(27) NORTH ARKANSAS COLLEGE FUND	\$7,845,109
(28) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND	\$9,635,460
(29) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$8,925,446
(30) RICH MOUNTAIN COMMUNITY COLLEGE FUND	\$3,152,633
(31) SAU - TECH FUND	\$5,526,391
(32) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER	\$362,809
(33) SAU - TECH FUND-FIRE TRAINING ACADEMY	\$1,626,143
(34) SOUTH ARKANSAS COMMUNITY COLLEGE FUND	\$5,903,280
(35) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND	\$3,959,584
(36) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND	\$4,423,777
(37) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND	\$4,663,945
(38) BLACK RIVER TECHNICAL COLLEGE FUND	\$5,919,834

(39) OUACHITA TECHNICAL COLLEGE FUND	\$3,452,860
(40) OZARKA COLLEGE FUND	\$2,914,644
(41) PULASKI TECHNICAL COLLEGE FUND	\$14,091,351
(42) SOUTHEAST ARKANSAS COLLEGE FUND	\$5,551,191

(b) After making the maximum annual allocations provided for in subsection (a) of this section, the Treasurer of State shall then make allocations from the remaining general revenues available for distribution, as set forth in this subsection, to the funds and fund accounts listed below until there has been transferred a total of thirty-four million five hundred thirteen thousand one hundred fourteen dollars (\$34,513,114) or so much thereof that may become available; provided, that the Treasurer of State 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 in this subsection:

Name of Fund or Fund Account	Maximum Allocation
PUBLIC SCHOOL FUND	
(1) Department of Education Public School Fund Account	\$-
(2) State Library Public School Fund Account	\$86,143
(3) Department of Workforce Education Public School Fund Account	\$490,311
GENERAL EDUCATION FUND	
(1) Department of Education Fund Account	\$230,353
(2) Educational Facilities Partnership Fund Account	\$528,951
(3) Division of Public School Academic Facilities and Transportation Fund Account	\$37,718
(4) Educational Television Fund Account	\$77,339
(5) School for the Blind Fund Account	\$92,164
(6) School for the Deaf Fund Account	\$159,211
(7) State Library Fund Account	\$50,773
(8) Department of Workforce Education Fund Account	\$46,265
(9) Rehabilitation Services Fund Account	\$196,225
Technical Institutes:	
(10) Crowley's Ridge Technical Institute Fund Account	\$39,250
(11) Northwest Technical Institute Fund Account	\$45,111
(12) Riverside Vocational Technical School Fund Account	\$33,675
DEPARTMENT OF HUMAN SERVICES FUND	
(1) Department of Human Services Administration Fund Account	\$237,492
(2) Aging and Adult Services Fund Account	264,121
(3) Children and Family Services Fund Account	751,941
(4) Child Care and Early Childhood Education Fund Account	8,557
(5) Youth Services Fund Account	734,341
(6) Developmental Disabilities Services Fund Account	940,043
(7) Medical Services Fund Account	75,900
(8) Department of Human Services Grants Fund Account	10,503,831
(9) Behavioral Health Services Fund Account	1,148,544
(10) State Services for the Blind Fund Account	28,626
(11) County Operations Fund Account	716,870

STATE GENERAL GOVERNMENT FUND	
(1) Department of Arkansas Heritage Fund Account	\$93,937
(2) Department of Agriculture Fund Account	240,223
(3) Department of Labor Fund Account	44,424
(4) Department of Higher Education Fund Account	50,274
(5) Higher Education Grants Fund Account	523,831
(6) Department of Economic Development Fund Account	155,969
(7) Department of Correction Inmate Care and Custody Fund Account	-
(8) Department of Community Correction Fund Account	-
(9) State Military Department Fund Account	145,400
(10) Parks and Tourism Fund Account	342,081
(11) Arkansas Department of Environmental Quality Fund Account	63,947
(12) Miscellaneous Agencies Fund Account	815,891
COUNTY AID FUND	\$298,352
COUNTY JAIL REIMBURSEMENT FUND	\$143,573
CRIME INFORMATION CENTER FUND	\$57,174
CHILD SUPPORT ENFORCEMENT FUND	\$196,693
PUBLIC HEALTH FUND	\$1,381,519
MERIT ADJUSTMENT FUND	\$-
MOTOR VEHICLE ACQUISITION REVOLVING FUND	\$-
MUNICIPAL AID FUND	\$415,703
DEPARTMENT OF ARKANSAS STATE POLICE FUND	\$944,827
DEPARTMENT OF WORKFORCE SERVICES FUND	\$57,341
INSTITUTIONS OF HIGHER EDUCATION	
(1) ARKANSAS STATE UNIVERSITY FUND	\$848,336
(2) ARKANSAS TECH UNIVERSITY FUND	\$476,285
(3) HENDERSON STATE UNIVERSITY FUND	\$284,209
(4) SOUTHERN ARKANSAS UNIVERSITY FUND	\$234,634
(5) UNIVERSITY OF ARKANSAS FUND	\$1,760,559
(6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY	\$35,346
(7) UNIVERSITY OF ARKANSAS FUND-DIVISION OF AGRICULTURE	\$953,753
(8) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL	\$34,863
(9) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE	\$27,728
(10) SCHOOL FOR MATH, SCIENCES AND ARTS FUND	\$16,903
(11) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND	\$305,503
(12) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND	\$907,558
(13) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND	\$1,481,750
(14) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - CHILD SAFETY CENTER	\$10,944
(15) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE	\$81,132
(16) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND	\$240,450
(17) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND	\$383,167
(18) UNIVERSITY OF CENTRAL ARKANSAS FUND	\$789,310
(19) ARKANSAS NORTHEASTERN COLLEGE FUND	\$130,261

(20) ARKANSAS STATE UNIVERSITY - BEEBE FUND	\$182,928
(21) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND	\$53,999
(22) ARKANSAS STATE UNIVERSITY - NEWPORT FUND	\$91,006
(23) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$50,536
(24) EAST ARKANSAS COMMUNITY COLLEGE FUND	\$87,904
(25) MID-SOUTH COMMUNITY COLLEGE FUND	\$57,586
(26) NATIONAL PARK COMMUNITY COLLEGE FUND	\$135,170
(27) NORTH ARKANSAS COLLEGE FUND	\$120,982
(28) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND	\$148,592
(29) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$137,642
(30) RICH MOUNTAIN COMMUNITY COLLEGE FUND	\$48,618
(31) SAU - TECH FUND	\$85,224
(32) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER	\$5,595
(33) SAU - TECH FUND-FIRE TRAINING ACADEMY	\$25,077
(34) SOUTH ARKANSAS COMMUNITY COLLEGE FUND	\$91,036
(35) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND	\$61,062
(36) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND	\$68,220
(37) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND	\$71,924
(38) BLACK RIVER TECHNICAL COLLEGE FUND	\$91,292
(39) OUACHITA TECHNICAL COLLEGE FUND	\$53,248
(40) OZARKA COLLEGE FUND	\$44,948
(41) PULASKI TECHNICAL COLLEGE FUND	\$217,307
(42) SOUTHEAST ARKANSAS COLLEGE FUND	\$85,607

SECTION 14. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UNCLAIMED PROPERTY PROCEEDS TRUST FUND TRANSFER. On the effective date of this Act and notwithstanding the provisions of A.C.A. § 18-28-213 (c)(2) regarding the transfer of funds from the Unclaimed Property Proceeds Trust Fund to the general revenues of the state, the Auditor of State shall transfer on his books and those of the State Treasurer and the Chief Fiscal Officer of the State, the sum of twenty-one million dollars (\$21,000,000) from the Unclaimed Property Proceeds Trust Fund to the Educational Adequacy Fund established in A.C.A. §19-5-1227.

SECTION 15. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BUDGET STABILIZATION TRUST FUND TRANSFER. After June 1 of fiscal year 2010, if the Chief Fiscal Officer of the State determines that individual income tax refunds or corporate income tax refunds will exceed the amount for refunds in the official forecast for the 2010 fiscal year, and the amount over forecast will decrease general revenue necessary to provide essential government services, he will certify that amount to the Governor. During the fiscal year 2010, as directed by the Governor, upon review by the Arkansas Legislative Council, the Chief Fiscal Officer of the State may transfer, up to a total of twenty-five million dollars (\$25,000,000) for the 2010 fiscal year, from the Budget Stabilization Trust Fund established in A.C.A. §19-5-501 to the General Revenue Fund Account established in A.C.A. §19-5-202 to prevent general

revenue reductions that would result from income tax refunds as certified pursuant to this section.

In no event shall the Chief Fiscal Officer of the State utilize funds provided in this Section to supplement those fund or fund accounts allocated in the Revenue Stabilization Law that would result in exceeding the January 11, 2010 Official Forecast.

SECTION 16. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. YEAR-END FUND BALANCE TRANSFERS. Notwithstanding any other provision of law to the contrary pertaining to the transfer of year-end fund balances, the year-end fund balances remaining on June 30, 2010 to be credited to the General Revenue Allotment Reserve Fund by August 15, 2010, shall instead be transferred as follows:

(a) First, in the event the 87th General Assembly meeting in Fiscal Session enacts legislation authorizing the transfer of monies from the funds set aside in the Legislative Division of the 87th Session Projects Account of the General Improvement Fund for distribution during the fiscal year ending June 30, 2011, an amount up to the actual amount authorized for transfer from the Legislative Division, or so much thereof as is available shall be transferred from the year-end fund balances to the Legislative Division of the 87th Session Projects Account of the General Improvement Fund for allocation to the various Legislative Division projects;

(b) Second, in the event the 87th General Assembly meeting in Fiscal Session enacts legislation authorizing the transfer of monies from the Executive Division of the 87th Session Projects Account of the General Improvement Fund, an amount up to the actual amount authorized for transfer, or so much thereof as is available shall be transferred from the year-end fund balances to the Executive Division of the 87th Session Projects Account of the General Improvement Fund and made available for allocation to the various Executive Division projects at the discretion of the Governor;

(c) The Chief Fiscal Officer of the State shall initiate the transfers authorized from the available year-end fund balances to the Legislative Division and the Executive Division as authorized in (a) and (b) herein on August 15, 2010 or as soon thereafter as is practical; and

(d) The remainder of any year-end fund balances on June 30, 2010 to be credited to the General Revenue Allotment Reserve Fund by August 15, 2010, or thereafter after fully funding the provisions of subsections (a) and (b) of this section shall then be credited to the General Revenue Allotment Reserve Fund.

SECTION 17. EMERGENCY CLAUSE. It is hereby found and determined by the General Assembly of the State of Arkansas that changes in the state's fiscal laws must take effect at the beginning of the fiscal year, that the effectiveness of this act on July 1, 2010, with the exception that Section 15 in this Act shall be in full force and effect from and after the date of its passage and approval, is essential to the operation of the agencies for which allocations in this act are provided, and the delay in the effective date of this act beyond July 1, 2010, with the exception that Section 15 in this Act shall be in full force and effect from and after the date of its passage and approval, could work irreparable harm upon the proper administration and provision of essential government programs. Therefore, an emergency is

declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2010, with the exception that Section 15 in this Act shall be in full force and effect from and after the date of its passage and approval."

AND

Appropriately renumber all SECTION numbers of the bill.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Joint Budget Committee

JKG/JKG - 02-23-2010 16:23

JKG207

Secretary