

Department of Finance and Administration

Legislative Impact Statement

Bill: SB195

Bill Subtitle: TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO BUILD A PARKING FACILITY ON THE STATE CAPITOL GROUNDS.

Basic Change :

Sponsor: Sen. Clark

SB195 would require DFA to construct a parking facility containing a minimum of two hundred (200) parking spaces on the State Capitol Grounds.

Revenue Impact :

Undetermined.

Taxpayer Impact :

Additional parking would be available to visitors to the State Capitol Grounds.

Resources Required :

Sufficient appropriation would be required to fund construction.

Time Required :

Undetermined.

Procedural Changes :

None.

Other Comments :

None.

Legal Analysis :

SB195 would require DFA to construct a parking facility containing a minimum of two hundred (200) parking spaces on the State Capitol Grounds. The use of mandatory language would require a new parking garage to be constructed but there are numerous potential conflicts with existing State law and regulatory authority.

This bill authorizes DFA to construct streets, curbs, gutters, utilities, and landscaping to serve the parking facility. This bill authorizes DFA to receive bequests or donations of money or property, purchase, lease, rent, or acquire, sell, trade, or barter any property, and convert the property into money or other property. This bill authorizes DFA to contract or be contracted with in constructing the parking facility. This bill authorizes DFA to apply for, receive, accept, and use any moneys and property provided by the United States government, General Assembly, any agency, state, or governmental body or political subdivision, any public or private organization or corporation, or any

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individual.

This bill authorizes DFA to take other necessary actions not inconsistent with the law to carry out the powers, purposes, and authority provided herein.

This bill does not provide funding for the construction of the parking facility. This bill does not state the date by which the construction of the parking facility must be commenced or completed.

This bill does not specify the location upon the State Capitol Grounds. "State Capitol grounds" means all property owned by the State of Arkansas within the Capitol Zoning District as defined in § 22-3-302. See § 22-3-402.

"Capital Zoning District" shall embrace all that portion of land situated in Little Rock, Pulaski County, State of Arkansas, within the following-described boundaries:

Beginning at the point where the centerline of 10th Street intersects the eastern edge of the right-of-way of the Missouri Pacific and Rock Island Railroad Line, thence northeast along the southern boundary of that right-of-way to the point where the centerline of Cross Street, extended northeast, intersects that right-of-way, thence south along the centerline of Cross Street to the point where that line intersects the northern edge of the Wilbur Mills Freeway (I-630), surveyed by the Arkansas State Highway and Transportation Department, thence westward along the northern edge of Wilbur Mills Freeway (I-630), as surveyed by the Arkansas State Highway and Transportation Department, to the point of beginning. See § 22-3-302(a); see also § 22-3-302(b)(1) (additionally the Capitol Zoning District includes the area surrounding the Governor's Mansion).

This bill conflicts with existing law § 22-3-1502, which authorizes the Building Authority Division of DFA to construct, manage, and maintain parking deck facilities, surface parking, and street improvements in the Capitol Zoning District.

This bill has potential conflict with the authority and duties of the Secretary of State regarding the State Capitol Grounds. The Secretary of State is constituted and legal custodian of the State Capitol Building, the grounds, and all the furniture and fixtures thereon and therein belonging to the state. See § 22-3-202(a).

This bill has potential conflict with Capitol Zoning District Commission's powers and functions. See § 23-3-301 et seq.

This bill has potential conflict with Capitol Parking Control Committee's powers and functions. See § 22-3-401 et seq.

This bill has potential conflict with the Capitol Arts and Grounds Commission powers and functions. See § 22-3-501 et seq.

It is not clear how the bill would be interpreted when in conflict with the other provisions of state law that currently have oversight authority for buildings in and around the State Capitol Grounds.