

State of Arkansas

77th General Assembly

Regular Session, 1989

HOUSE BILL 1952

By: Joint Budget Committee

"AN ACT TO AMEND ARKANSAS CODE TITLE 19, CHAPTER 5, THE  
REVENUE STABILIZATION LAW; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 19-5-205(e)(1)(B)(i) is hereby amended to read as follows, to reflect current sources of special revenues to the State Central Services Fund:

"(i) Those special revenues as specified in subdivisions (11), (19), (21), (75), (76), (77), (78), (79), (80), (82), (83), (84), (85), (86), (87), (88), (89), (90), (92), (92), (96), (112), (116), (118), (124), (131) and ten percent (10%) of those special revenues as set out in subsection (20) of §19-6-301 of the Revenue Classification Law of Arkansas, §19-6-101 et seq.;"

SECTION 2. Arkansas Code 19-5-302(3)(A)(B) is hereby amended by adding the following new subdivision to reflect sources of funds in the Department of Parks and Tourism Fund Account:

"(iv) ten percent (10%) of those special revenues as specified in subdivision (145) of §19-6-301."

SECTION 3. Arkansas Code 19-5-302(10)(A)(i) and (ii) are hereby amended to read as follows:

"(10)(A) STATE GENERAL SERVICES FUND ACCOUNT. The State General Services Fund Account may be used for the state's membership in regional or national associations, grants to certain organizations and maintenance, operations and improvements of appropriation units as may be authorized by the General Assembly including, but not necessarily limited thereto, inclusive or exclusive, the following:

(i) Grants to the following:

- (a) Arkansas Children's Hospital;
- (b) Community Project Grants; and
- (c) EDA Matching;
- (ii) Operating appropriations to the following:
  - (a) Department of Finance and Administration Drug Enforcement Program;
  - (b) Alcoholic Beverage Control;
  - (c) Disabled Veteran's Service Office;
  - (d) Veteran's Child Welfare Office;
  - (e) Waterways Commission;
  - (f) Weather Warning System;
  - (g) Commission on Law Enforcement Standards and Training;
  - (h) Advisory Council for Vocational-Technical Education;
  - (i) Spinal Cord Commission;
  - (j) Bureau of Standards;
  - (k) Special Olympics;
  - (l) Geological Commission;
  - (m) Board of Criminal Detention;
  - (n) Code Revision Commission;
  - (o) Department of Veterans Affairs and Veteran's Home Commission on Human Resources;
  - (p) Health Services Agency;
  - (q) State Building Services;
  - (r) Department of Insurance and Public Employees Insurance responsibilities;
  - (s) Livestock and Poultry Show premiums;
  - (t) State Crime Laboratory;
  - (u) Plant Board;
  - (v) Office of Emergency Services;
  - (w) Transportation Safety Agency;
  - (x) Office of Fire Protection Services;
  - (y) Assessment Coordination Division;
  - (z) Science and Technology Authority;
  - (aa) Securities Department; and
  - (bb) Soil and Water Commission; and"

SECTION 4. Arkansas Code 19-5-303 is hereby amended to add a new

subdivision at the end thereof to read as follows:

"(s) (1) COMMUNITY COLLEGE FUND. There is hereby established on the books of the State Treasurer, State Auditor, and Chief Fiscal Officer of the State a fund to be known as the Community College Fund. This fund shall be used for the maintenance, operation and improvement of the "Community College Without Walls" in the "Rogers/Bentonville area", as may be provided by law.

(2) The fund shall consist of:

(A) Such general revenues as may be provided by law; and

(B) Any other funds made available for the support of the "Community College Without Walls", and which are required to be deposited in to the State Treasury by law."

SECTION 5. Arkansas Code 19-5-306 is hereby amended by adding the following new subdivision at the end thereof to read as follows:

"(11) (A) Long-Term Care Facility Receivership Fund Account. The Long-Term Care Facility Receivership Fund Account shall be used for paying the expenses of receivers appointed under §20-10-901, as administered and disbursed under the direction of the Director of the Department of Human Services;

(B) The fund account shall consist of:

(i) Those general revenues and such other funds as may be provided by law;

(ii) The balance in the fund account which remains at the end of a fiscal year."

SECTION 6. Arkansas Code 19-5-307(b) (1) is hereby amended to read as follows, to reflect current sources of special revenue to the Public Health Fund:

"(1) Those special revenues as set out in subdivisions (65), (66), (69), (97), (133), (136), (137), (139), (140), (141), (142), (143) and (144) of §19-6-301 of the Revenue Classification law;"

SECTION 7. Arkansas Code 19-5-601(a) is hereby amended by adding a new subdivision at the end thereof to read as follows, to reflect current sources of special revenue to the Municipal Aid Fund:

"(3) Those special revenues as specified in Subdivision (135) of

□19-6-301 of the Revenue Classification Law."

SECTION 8. Arkansas Code 19-5-602(a)(3) is hereby amended to read as follows, to reflect current sources of special revenue to the County Aid Fund:

"(3) Those special revenues as set out in Subdivisions (74), (117) and ten percent (10%) of those special revenues as specified in Subdivision (20) of □19-6-301 of the Revenue Classification Law; and"

SECTION 9. Arkansas Code 19-5-302(4), the Transportation Fund Account, and Arkansas Code 20-22-206, the State Fire Prevention Commission Fund are hereby repealed.

SECTION 10. Arkansas Code 19-4-1610(c) is hereby amended to read as follows:

"(c) Salary payments made to correct an administrative error shall not be considered retroactive pay, nor shall such payment be construed as exceeding the employee's maximum authorized pay."

SECTION 11. TRUST FUNDS. Arkansas Code Title 19, Chapter 5, Subchapter 9, is hereby amended by adding the following new Sections:

"19-5-946. ABANDONED MINERAL PROCEEDS TRUST FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "Abandoned Mineral Proceeds Trust Fund". This fund shall consist of Abandoned Mineral Proceeds as defined in □18-28-401 et seq. This fund shall be used for the payment of claims, enforcement and administration of □18-28-401 et seq., and for the transfer of excess funds over the amount required for expenses and claims to the County Aid Fund.

19-5-947. COUNTY TREASURER'S CONTINUING EDUCATION FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "County Treasurer's Continuing Education Fund". This fund shall consist of fees from the Office of County Treasurers, as appropriated by the Quorum Court of each county and any monies transferred from the County Aid Fund, there to be used exclusively for the establishment and operation of a Continuing Education Program for County Treasurers and payment of expenses for attending such program, all as

provided in §14-15-811.

19-5-948. MANUFACTURED HOUSING RECOVERY FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "Manufactured Housing Recovery Fund". This fund shall consist of fees assessed under §20-29-101 et seq. by the Arkansas Manufactured Home Commission, there to be used for such purposes as set out in §§20-29-104--20-29-110.

19-5-949. CHILDREN'S TRUST FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "Children's Trust Fund". This fund shall consist of the additional marriage license fee charged by County Clerks and monies received from the federal government, other governments, persons or any other entities which do not obligate the State of Arkansas, there to be used by the State Child Abuse and Neglect Prevention Board as set out in §9-30-101 et seq.

19-5-950. CRIME VICTIMS REPARATIONS REVOLVING FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "Crime Victims Reparations Revolving Fund". This fund shall consist of victim reparations, assessments and all other monies received by the Crime Victims Reparations Board, excluding appropriated funds, there to be used to compensate and assist victims of criminal acts as set out in §16-90-701 et seq.

19-5-951. ARKANSAS NATURAL AND CULTURAL RESOURCES GRANTS AND TRUST FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "Arkansas Natural and Cultural Resources Grants and Trust Fund". This fund shall consist of eighty percent (80%) of those special revenues as specified in Subdivision (145) of §19-6-301, there to be used by the Arkansas Natural and Cultural Resources Council for use in the acquisition, management and stewardship of state-owned lands and other purposes as set out in §§15-12-101--15-12-103.

19-5-952. NATURAL AND CULTURAL RESOURCES HISTORIC PRESERVATION FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "Natural and Cultural Resources Historic Preservation Fund". This fund shall consist of ten percent (10%) of those special revenues as specified in Subdivision (145) of §19-6-301, there to be used by the Arkansas Natural and Cultural Resources

Council for providing a source of funds for the operation of the State Historic Preservation Program and the "Main Street" Program as set out in §15-12-103.

19-5-953. LONG-TERM CARE TRUST FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "Long-Term Care Trust Fund". This fund shall consist of all monies and interest received from the imposition of civil penalties levied by the State on long-term care facilities found to be out of compliance with the requirements of federal or state law or regulations, there to be administered by the Director of the Department of Human Services solely for the protection of the health or property of residents of long-term care facilities, including, but not limited to, the payment for the costs of relocation of residents to other facilities, maintenance and operation of a facility pending correction of deficiencies or closure, and reimbursement of residents for personal funds lost.

19-5-954. FIDELITY BOND TRUST FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "Fidelity Bond Trust Fund". This fund shall consist of bond premiums collected under §§21-2-701--711, there to be administered and disbursed by the Governmental Bonding Board for the use and benefit of participating governmental entities for bond claims and board expenses.

19-5-955. CANCER RESEARCH FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "Cancer Research Fund". This fund shall consist of income tax checkoff contributions, there to be distributed equally among the Arkansas Cancer Research Center, Central, North and South Arkansas Radiation Therapy Institutes, as provided in §26-51-438.

19-5-956. TOURISM DEVELOPMENT TRUST FUND. There is hereby established on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State a fund to be known as the "Tourism Development Trust Fund". This fund shall consist of those special revenues as specified in Subdivision (146) of §19-6-301, there to be used by the Department of Parks and Tourism exclusively for the promotion of tourism in Arkansas."

SECTION 12. Any appropriations made payable from the Solid Waste Needs

Assessment Fund are hereby deemed appropriated from the Department of Pollution Control and Ecology Fund Account.

SECTION 13. Any appropriations made payable from the Blood Alcohol Instrument Maintenance Fund are hereby deemed appropriated from the Public Health Fund.

SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly that the amendments to the Revenue Stabilization Law are essential to the continued operation of State government; therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after July 1, 1989.