

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  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

SENATE BILL 926

4  
5 By: Senator Dowd

## For An Act To Be Entitled

9 "AN ACT TO ESTABLISH THE EIGHTY-SECOND SESSION  
10 PROJECTS ACCOUNT WITHIN THE GENERAL IMPROVEMENT FUND;  
11 TO DEFINE THE MONIES TO BE AVAILABLE IN SUCH ACCOUNT;  
12 AND TO DEFINE THE PURPOSES FOR WHICH MONIES MAY BE  
13 MADE AVAILABLE FROM THE GENERAL IMPROVEMENT FUND; AND  
14 FOR OTHER PURPOSES. "

## Subtitle

16 "THE DISTRIBUTION OF THE EIGHTY-SECOND  
17 SESSION PROJECTS ACCOUNT OF THE GENERAL  
18 IMPROVEMENT FUND. "

21  
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. This Act may be cited as the "General Improvement  
25 Distribution Act of 1999".

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27 SECTION 2. There is hereby created and established on the books of the  
28 Chief Fiscal Officer of the State, the State Treasurer and the State Auditor,  
29 the "82nd Session Projects Account" within the "General Improvement Fund",  
30 into which shall be transferred and credited the respective monies as  
31 hereinafter provided in this Act, to be used for providing financing, in the  
32 manner set forth herein, for the various projects and purposes enumerated in  
33 this Act to be financed from said account.

34 Immediately upon the effective date of this Act, or as soon thereafter  
35 as is practical, the State Treasurer shall transfer and credit to the "82nd  
36 Session Projects Account" of the "General Improvement Fund", upon

1 certification of the amounts thereof by the Chief Fiscal Officer of the State,  
 2 the following:

3 (a) all unobligated and unallocated monies remaining in the "General  
 4 Improvement Fund" which are not required to finance projects to be financed  
 5 therefrom pursuant to appropriations enacted by the 81st General Assembly, or  
 6 which have not been reappropriated or reallocated for financing from the  
 7 "General Improvement Fund" by the 82nd General Assembly;

8 (b) any unobligated or unallocated funds remaining in the "General  
 9 Revenue Allotment Reserve Fund" from monies accruing thereto during the 1997-  
 10 99 fiscal biennium which are not required to finance enactments of the 82nd  
 11 General Assembly that do not expire on June 30, 1999; and

12 (c) interest earned on State Treasury fund balances as provided in  
 13 this subsection. For the period commencing on July 1, 1999, and ending June  
 14 30, 2001, the State Treasurer shall, after complying with provisions of

15 (1) Arkansas Code 27-70-204 for distributing interest income  
 16 earned from investment of average daily balances of the "State Highway and  
 17 Transportation Department Fund",

18 (2) Arkansas Code 15-41-110 for distributing interest earned  
 19 from investment of average daily balances of the "Game Protection Fund",

20 (3) Arkansas Code 15-5-422 for the first two million dollars  
 21 (\$2,000,000) of interest income received each fiscal year by the State  
 22 Treasurer as authorized for the Correction Facilities Construction Fund, and

23 (4) Arkansas Code 20-78-504 for the next one hundred thousand  
 24 dollars (\$100,000) of interest income received each fiscal year by the State  
 25 Treasurer for the Arkansas Child Care Facilities Loan Guarantee Trust Fund,  
 26 credit to the "Budget Stabilization Trust Fund" or its successor fund, fifty  
 27 percent (50%) of the interest income received and credited to the "Securities  
 28 Reserve Fund", and credit to the "82nd Session Projects Account" fifty percent  
 29 (50%) of the interest income received and credited to the "Securities Reserve  
 30 Fund" as certified by the Chief Fiscal Officer of the State, to provide  
 31 financing to the "82nd Session Projects Account", until there has been  
 32 credited an amount, which when added to the other funds available for such  
 33 purposes will finance each of the projects or purposes hereinafter enumerated.  
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35 SECTION 3. Any enactment of the 82nd General Assembly appropriating or  
 36 allocating funds to be payable from the "General Improvement Fund", for which

1 a specific allocation of funds is specifically authorized in this Act, shall  
 2 be deemed to be payable from the "82nd Session Projects Account" within the  
 3 "General Improvement Fund" unless a specific intent is otherwise provided by  
 4 law. Any enactment of the 82nd General Assembly appropriating funds payable  
 5 from the General Improvement Fund which is not enumerated in this Act shall  
 6 not be financed from monies accruing to the 82nd Session Projects Account.  
 7 Provided that monies reappropriated by the 82nd General Assembly for projects  
 8 for which appropriations were made by the 81st General Assembly, which are not  
 9 enumerated in this Act and which are made payable from the "General  
 10 Improvement Fund", shall be payable from the "81st Session Projects Account"  
 11 of the "General Improvement Fund" and allowances shall be made therefore in  
 12 arriving at the uncommitted and unobligated balance of monies in the "General  
 13 Improvement Fund" before making transfers therefrom to the "82nd Session  
 14 Projects Account", as authorized by this Act.

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 16 SECTION 4. Distribution of funds for constructing and equipping the  
 17 radiation therapy institutes specified herein, shall be contingent upon the  
 18 provision of matching funds, including those monies previously raised but not  
 19 previously used to match state funds, on a dollar by dollar basis on behalf of  
 20 each such radiation therapy institute.

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 22 SECTION 5. All provisions of this act of a general and permanent nature  
 23 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
 24 Revision Commission shall incorporate the same in the Code.

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 26 SECTION 6. If any provision of this act or the application thereof to  
 27 any person or circumstance is held invalid, such invalidity shall not affect  
 28 other provisions or applications of the act which can be given effect without  
 29 the invalid provision or application, and to this end the provisions of this  
 30 act are declared to be severable.

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 32 SECTION 7. All laws and parts of laws in conflict with this act are  
 33 hereby repealed.

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 35 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined that  
 36 Eighty-Second General Assembly meeting in Regular Session has considered and

1 enacted appropriations for construction projects and other programs to be  
2 financed from the accumulated surplus and reserve funds available in the State  
3 Treasury; that the total of the enacted appropriations exceed the estimated  
4 available funds and that the immediate passage of this Act is necessary to  
5 establish a method of providing for the orderly financing and a system of  
6 priority for the financing of such projects. Therefore, an emergency is  
7 declared to exist and this act being immediately necessary for the  
8 preservation of the public peace, health and safety shall become effective on  
9 the date of its approval by the Governor. If the bill is neither approved nor  
10 vetoed by the Governor, it shall become effective on the expiration of the  
11 period of time during which the Governor may veto the bill. If the bill is  
12 vetoed by the Governor and the veto is overridden, it shall become effective  
13 on the date the last house overrides the veto.

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