

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S3/26/03
A Bill

SENATE BILL 718

5 By: Senator Wooldridge
6 By: Representative Biggs
7

8
9 **For An Act To Be Entitled**

10 AN ACT TO AMEND ARKANSAS CODE § 19-5-1005
11 PERTAINING TO THE PURPOSES FOR WHICH THE GENERAL
12 IMPROVEMENT FUND SHALL BE USED; AND FOR OTHER
13 PURPOSES.
14

15 **Subtitle**

16 AN ACT TO AMEND ARKANSAS CODE § 19-5-
17 1005 PERTAINING TO THE PURPOSES FOR
18 WHICH THE GENERAL IMPROVEMENT FUND SHALL
19 BE USED.
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23 WHEREAS, the State of Arkansas has facilities and infrastructure valued
24 in the billions of dollars that must be maintained and preserved to meet the
25 needs of the various state agencies and institutions charged with providing
26 services and programs to all the citizens of the state; and
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28 WHEREAS, the costs of maintenance, repair, renovation, upkeep, and
29 mechanical infrastructure continue to escalate as facilities age and are
30 subjected to the normal wear and tear of daily use; and
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32 WHEREAS, state government should rightfully insure that state
33 buildings, facilities, equipment, and other various capital infrastructure
34 needs are met before limited state revenues are used to fund local
35 governmental or private projects or programs; and
36



1 WHEREAS, state government faces chronic and severe shortages in
2 available funds to meet the continual needs of its significant infrastructure
3 investment with the dramatic drop in interest rates and the depletion of
4 other available onetime revenue sources,

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6 NOW THEREFORE,

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

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9 SECTION 1. Arkansas Code § 19-5-1005, pertaining to the General
10 Improvement Fund, is amended by adding an additional subsection to read as
11 follows:

12 (3) (A) The General Improvement Fund shall only be used for the
13 financing of appropriations or transfers authorized by the General Assembly
14 in accordance with procedures set out by law.

15 (B) Projects approved to be financed by the authorized officials
16 shall be determined in accordance with evaluation criteria.

17 (C) The criteria shall include the following :

18 (i) Lack of available alternate means of financing the project;

19 (ii) Project involvement in the health or safety of the users
20 and the environment;

21 (iii) Federal, State or Local requirement for the project;

22 (iv) Project significantly improves the implementation of an
23 important mission or program of the agency;

24 (v) Project preserves or improves the state's assets;

25 (vi) State-wide implications to the economy involved;

26 (vii) Beneficiaries of the project located throughout the state;

27 (viii) State agency requested the project or is included in the
28 capital plan of the agency.

29 (D) Approved projects shall not include those projects which assist
30 primarily local or private entities unless it is determined by a resolution
31 by both houses of the Arkansas General Assembly that all necessary and
32 appropriated state infrastructure needs of the various state agencies,
33 facilities, institutions and programs have been provided for and that
34 sufficient unobligated funds exist to proceed with other projects.

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36 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly of the State of Arkansas that funds are available to finance
2 statewide capital projects and that local projects need to be financed only
3 after statewide needs are met and that a process must be in place before the
4 funds are distributed.. Therefore, an emergency is declared to exist and this
5 act being immediately necessary for the preservation of the public peace,
6 health, and safety shall become effective on:

7 (1) The date of its approval by the Governor;

8 (2) If the bill is neither approved nor vetoed by the Governor,
9 the expiration of the period of time during which the Governor may veto the
10 bill; or

11 (3) If the bill is vetoed by the Governor and the veto is
12 overridden, the date the last house overrides the veto.

13 /s/ Wooldridge

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