

1 State of Arkansas *As Engrossed: S2/4/19 S3/19/19*

2 92nd General Assembly

A Bill

3 Regular Session, 2019

SENATE BILL 38

4

5 By: Joint Budget Committee

6

7

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE
10 AND ADMINISTRATION - BUILDING AUTHORITY DIVISION FOR
11 THE FISCAL YEAR ENDING JUNE 30, 2020; AND FOR OTHER
12 PURPOSES.

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Subtitle

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

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SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby established for the Department of Finance and Administration - Building Authority Division for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2019-2020
(1)	U052U	ABA DIRECTOR	1	GRADE SE02
(2)	B003N	ABA STATE ARCHITECT	1	GRADE GS14
(3)	B002N	ABA STATE ENGINEER	1	GRADE GS14
(4)	U080U	ABA DEPUTY DIRECTOR	1	GRADE GS13



1	(5)	B023C ENGINEER, P.E.	1	GRADE GS11
2	(6)	G036C ABA DIVISION MANAGER	2	GRADE GS10
3	(7)	R019C BUDGET MANAGER	1	GRADE GS09
4	(8)	B042C ENGINEER	1	GRADE GS09
5	(9)	B021C LICENSED ARCHITECT	2	GRADE GS09
6	(10)	S004C MAINTENANCE MANAGER	1	GRADE GS08
7	(11)	X047C REAL ESTATE MANAGER	1	GRADE GS07
8	(12)	S013C ABA BUILDING/PROGRAM SUPERVISOR	2	GRADE GS06
9	(13)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
10	(14)	A088C ASSETS COORDINATOR	1	GRADE GS05
11	(15)	X129C CONSTRUCTION INSPECTOR	3	GRADE GS05
12	(16)	B090C ENGINEER TECHNICIAN	1	GRADE GS05
13	(17)	S022C SKILLED TRADES SUPERVISOR	1	GRADE GS05
14	(18)	C056C ADMINISTRATIVE SPECIALIST III	1	GRADE GS04
15	(19)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
16	(20)	X153C REAL ESTATE ANALYST	3	GRADE GS04
17	(21)	S031C SKILLED TRADESMAN	1	GRADE GS04
18	(22)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
19		MAX. NO. OF EMPLOYEES	29	

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21 SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby
 22 appropriated, to the Department of Finance and Administration - Building
 23 Authority Division, to be payable from the Miscellaneous Agencies Fund
 24 Account, for personal services and operating expenses of the Department of
 25 Finance and Administration - Building Authority Division for the fiscal year
 26 ending June 30, 2020, the following:

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28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2019-2020</u>
30	(01) REGULAR SALARIES	\$1,558,033
31	(02) PERSONAL SERVICES MATCHING	504,999
32	(03) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	45,955
34	(B) CONF. & TRAVEL	6,200
35	(C) PROF. FEES	0
36	(D) CAP. OUTLAY	0

1 (E) DATA PROC. 0
 2 TOTAL AMOUNT APPROPRIATED \$2,115,187

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4 SECTION 3. REGULAR SALARIES - BUILDING MAINTENANCE. There is hereby
 5 established for the Department of Finance and Administration - Building
 6 Authority Division for the 2019-2020 fiscal year, the following maximum
 7 number of regular employees.

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9			Maximum Annual
10		Maximum	Salary Rate
11	Item Class	No. of	Fiscal Year
12	<u>No. Code Title</u>	<u>Employees</u>	<u>2019-2020</u>
13	(1) G036C ABA DIVISION MANAGER	1	GRADE GS10
14	(2) S004C MAINTENANCE MANAGER	1	GRADE GS08
15	(3) S013C ABA BUILDING/PROGRAM SUPERVISOR	4	GRADE GS06
16	(4) G232C ENERGY CONSERVATION MANAGER	1	GRADE GS06
17	(5) S106C LICENSED TRADESMAN	3	GRADE GS06
18	(6) S017C MAINTENANCE COORDINATOR	6	GRADE GS06
19	(7) V014C BUYER	1	GRADE GS05
20	(8) B090C ENGINEER TECHNICIAN	1	GRADE GS05
21	(9) S022C SKILLED TRADES SUPERVISOR	3	GRADE GS05
22	(10) S037C ABA BUILDING MAINTENANCE SPECIALIST	9	GRADE GS04
23	(11) A098C FISCAL SUPPORT SPECIALIST	1	GRADE GS04
24	(12) S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
25	(13) S031C SKILLED TRADESMAN	6	GRADE GS04
26	(14) S065C MAINTENANCE ASSISTANT	<u>2</u>	GRADE GS01
27	MAX. NO. OF EMPLOYEES	40	

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29 SECTION 4. EXTRA HELP - BUILDING MAINTENANCE. There is hereby
 30 authorized, for the Department of Finance and Administration - Building
 31 Authority Division for the 2019-2020 fiscal year, the following maximum
 32 number of part-time or temporary employees, to be known as "Extra Help",
 33 payable from funds appropriated herein for such purposes: nine (9) temporary
 34 or part-time employees, when needed, at rates of pay not to exceed those
 35 provided in the Uniform Classification and Compensation Act, or its
 36 successor, or this act for the appropriate classification.

SECTION 5. APPROPRIATION - BUILDING MAINTENANCE. There is hereby appropriated, to the Department of Finance and Administration - Building Authority Division, to be payable from the Building Authority Division Maintenance Fund, for personal services and operating expenses of the Department of Finance and Administration - Building Authority Division for the fiscal year ending June 30, 2020, the following:

ITEM NO.		FISCAL YEAR 2019-2020
(01)	REGULAR SALARIES	\$1,476,517
(02)	EXTRA HELP	15,000
(03)	PERSONAL SERVICES MATCHING	552,611
(04)	OVERTIME	40,000
(05)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	11,359,015
	(B) CONF. & TRAVEL	15,000
	(C) PROF. FEES	50,000
	(D) CAP. OUTLAY	84,100
	(E) DATA PROC.	0
(06)	DEBT SERVICE	3,602,186
(07)	FACILITIES MANAGEMENT CONTINGENCY	125,000
(08)	RENT OF SPACE	<u>121,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$17,440,429</u>

SECTION 6. REGULAR SALARIES - JUSTICE BUILDING OPERATIONS. There is hereby established for the Department of Finance and Administration - Building Authority Division for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1)	S017C	MAINTENANCE COORDINATOR	1	GRADE GS06
(2)	S037C	ABA BUILDING MAINTENANCE SPECIALIST	<u>2</u>	GRADE GS04

1 MAX. NO. OF EMPLOYEES 3

2

3 SECTION 7. APPROPRIATION - JUSTICE BUILDING OPERATIONS. There is
4 hereby appropriated, to the Department of Finance and Administration -
5 Building Authority Division, to be payable from the Building Authority
6 Division Maintenance Fund, for personal services and operating expenses of
7 the Department of Finance and Administration - Building Authority Division
8 for the fiscal year ending June 30, 2020, the following:

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10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2019-2020</u>
12 (01) REGULAR SALARIES	\$110,223
13 (02) PERSONAL SERVICES MATCHING	40,537
14 (03) MAINT. & GEN. OPERATION	
15 (A) OPER. EXPENSE	569,453
16 (B) CONF. & TRAVEL	0
17 (C) PROF. FEES	15,000
18 (D) CAP. OUTLAY	0
19 (E) DATA PROC.	<u>0</u>
20 TOTAL AMOUNT APPROPRIATED	<u><u>\$735,213</u></u>

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22 SECTION 8. APPROPRIATION - JUSTICE BUILDING MAINTENANCE. There is
23 hereby appropriated, to the Department of Finance and Administration -
24 Building Authority Division, to be payable from the Justice Building Fund,
25 for maintenance of the Justice Building by the Department of Finance and
26 Administration - Building Authority Division for the fiscal year ending June
27 30, 2020, the following:

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29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2019-2020</u>
31 (01) SPECIAL MAINTENANCE	<u><u>\$404,293</u></u>

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33 SECTION 9. APPROPRIATION - CRITICAL MAINTENANCE. There is hereby
34 appropriated, to the Department of Finance and Administration - Building
35 Authority Division, to be payable from the Building Authority Division
36 Maintenance Fund, for critical maintenance of various state buildings by the

1 Department of Finance and Administration - Building Authority Division for
2 the fiscal year ending June 30, 2020, the following:

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4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2019-2020</u>
6 (01) SPECIAL MAINTENANCE	<u>\$5,000,000</u>

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8 SECTION 10. APPROPRIATION - ACQUISITION AND MAINTENANCE. There is
9 hereby appropriated, to the Department of Finance and Administration -
10 Building Authority Division, to be payable from the Building Authority
11 Division Real Estate Fund, for the acquisition and maintenance of facilities
12 and land by the Department of Finance and Administration - Building Authority
13 Division for the fiscal year ending June 30, 2020, the following:

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15 ITEM	FISCAL YEAR
16 <u>NO.</u>	<u>2019-2020</u>
17 (01) MAINT. & GEN. OPERATION	
18 (A) OPER. EXPENSE	\$300,000
19 (B) CONF. & TRAVEL	0
20 (C) PROF. FEES	1,506,650
21 (D) CAP. OUTLAY	0
22 (E) DATA PROC.	0
23 (02) CONSTRUCTION/ACQUISITION/MAINTENANCE	<u>2,500,000</u>
24 TOTAL AMOUNT APPROPRIATED	<u>\$4,306,650</u>

25

26 SECTION 11. APPROPRIATION - JUSTICE BUILDING CONSTRUCTION - CASH.
27 There is hereby appropriated, to the Department of Finance and Administration
28 - Building Authority Division, to be payable from cash funds as defined by
29 Arkansas Code 19-4-801 of the Department of Finance and Administration -
30 Building Authority Division, for operating expenses of the Department of
31 Finance and Administration - Building Authority Division for the fiscal year
32 ending June 30, 2020, the following:

33

34 ITEM	FISCAL YEAR
35 <u>NO.</u>	<u>2019-2020</u>
36 (01) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	\$55,000
2	(B) CONF. & TRAVEL	0
3	(C) PROF. FEES	35,000
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	0
6	(02) DEBT SERVICE	<u>1,200,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,290,000</u></u>

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9 SECTION 12. APPROPRIATION - SUSTAINABLE BUILDING DESIGN PROGRAM. There

10 is hereby appropriated, to the Department of Finance and Administration -

11 Building Authority Division, to be payable from the Sustainable Building

12 Design Revolving Loan Fund, for transfers or loans to state agencies, boards

13 or commissions for construction, renovation, maintenance and operating

14 expenses for the Department of Finance and Administration - Building

15 Authority Division - Sustainable Building Design Program for the fiscal year

16 ending June 30, 2020, the following:

17		
18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2019-2020</u>
20	(01) LOANS	<u><u>\$10,739,371</u></u>

21

22 SECTION 13. APPROPRIATION - CASH. There is hereby appropriated, to the

23 Department of Finance and Administration - Building Authority Division, to be

24 payable from the cash fund deposited in the State Treasury as determined by

25 the Chief Fiscal Officer of the State, for building improvements by the

26 Department of Finance and Administration - Building Authority Division for

27 the fiscal year ending June 30, 2020, the following:

28		
29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2019-2020</u>
31	(01) BUILDING IMPROVEMENTS	<u><u>\$3,033,907</u></u>

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33 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

35 OF FUNDS - JUSTICE BUILDING OPERATIONS ACTUAL EXPENDITURES. Department of

36 Finance and Administration - Building Authority Division may from time to

1 time as may be necessary and in such amounts as may be necessary and with the
2 approval of the Chief Fiscal Officer of the State, request a transfer of
3 funds from the State Central Services Fund to the Arkansas Building Authority
4 Maintenance Fund for operation of the Justice Building for actual
5 expenditures, in an amount not to exceed the dollar amount appropriated in
6 the Justice Building Operation Section. Upon his approval, the Chief Fiscal
7 Officer of the State shall then initiate the necessary transfer documents to
8 reflect the transfer upon the fiscal records of the State Auditor, the State
9 Treasurer, the Chief Fiscal Officer of the State and Department of Finance
10 and Administration - Building Authority Division.

11 The provisions of this section shall be in effect only from July 1, ~~2018~~
12 2019 through June 30, ~~2019~~ 2020.

13
14 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
16 OF FUNDS. The Department of Finance and Administration - Building Authority
17 Division is hereby authorized, after seeking the approval of the Chief Fiscal
18 Officer of the State and the Arkansas Legislative Council or Joint Budget
19 Committee to request transfer from the appropriation made in the Building
20 Maintenance Section for Building Maintenance to the Acquisition and
21 Maintenance appropriation in the Acquisition and Maintenance Section and to
22 receive from another state agency that seeks like approvals its authority,
23 appropriation and the transfer of funds to be deposited into the Building
24 Authority Division Real Estate Fund to become part of the Acquisition and
25 Maintenance appropriation, and to be used for any purposes as set forth by
26 law for said Real Estate Fund.

27 Determining the maximum number of employees and the maximum amount of
28 appropriation and general revenue funding for a state agency each fiscal year
29 is the prerogative of the General Assembly. This is usually accomplished by
30 delineating such maximums in the appropriation act(s) for a state agency and
31 the general revenue allocations authorized for each fund and fund account by
32 amendment to the Revenue Stabilization law. Further, the General Assembly
33 has determined that the Department of Finance and Administration - Building
34 Authority Division may operate more efficiently if some flexibility is
35 provided to the Department of Finance and Administration - Building Authority
36 Division authorizing broad powers under this section. Therefore, it is both

1 necessary and appropriate that the General Assembly maintain oversight by
2 requiring prior approval of the Legislative Council or Joint Budget Committee
3 as provided by this section. The requirement of approval by the Legislative
4 Council or Joint Budget Committee is not a severable part of this section.
5 If the requirement of approval by the Legislative Council or Joint Budget
6 Committee is ruled unconstitutional by a court of competent jurisdiction,
7 this entire section is void.

8 The provisions of this section shall be in effect only from July 1, ~~2018~~
9 2019 through June 30, ~~2019~~ 2020.

10

11 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

13 DEPARTMENT OF FINANCE AND ADMINISTRATION - BUILDING AUTHORITY DIVISION

14 CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. The Department of Finance and
15 Administration - Building Authority Division may transfer appropriation and
16 funds as needed from the Facilities Management Contingency Appropriation in
17 the Building Maintenance Section of this Act to any appropriation authorized
18 for the Department of Finance and Administration - Building Authority
19 Division.

20 The provisions of this section shall be in effect only from July 1, ~~2018~~
21 2019 through June 30, ~~2019~~ 2020.

22

23 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

25 TO FACILITIES MANAGEMENT CONTINGENCY APPROPRIATION AUTHORITY. (a) In order to
26 provide a more cost effective method to address the emerging infrastructure
27 needs of Arkansas State Government, appropriations and funds transferred to
28 the Facilities Management Contingency Appropriation are to be used in the
29 event that the Department of Finance and Administration - Building Authority
30 Division executes one or more building contracts or maintenance agreements
31 with State Agencies, and the appropriations or funds otherwise provided for
32 the Department of Finance and Administration - Building Authority Division
33 are not sufficient to address those needs, and it is more cost effective for
34 the Department of Finance and Administration - Building Authority Division to
35 execute these services. Any State Agency may transfer or deposit funds and
36 appropriations to the Department of Finance and Administration - Building

1 Authority Division - Facilities Management Contingency Appropriation
2 authorized in the Building Maintenance Section of this Act to execute one or
3 more building contracts or maintenance agreements with said State Agencies.
4 The Department of Finance and Administration - Building Authority Division
5 shall provide justification to the Chief Fiscal Officer of the State for the
6 need of such appropriations and funds transfers and seek and receive approval
7 of the Chief Fiscal Officer of the State. Department of Finance and
8 Administration - Building Authority Division shall then seek and receive the
9 approval of the Arkansas Legislative Council or Joint Budget Committee. The
10 requirement of approval by the Arkansas Legislative Council or Joint Budget
11 Committee is not a severable part of the section. If the requirement of
12 approval by the Arkansas Legislative Council or Joint Budget Committee is
13 ruled unconstitutional by a court of competent jurisdiction, this entire
14 section is void.

15 (b) The Chief Fiscal Officer of the State shall make the necessary
16 adjustments on his or her books and the books of the Auditor of the State for
17 the transfer or deposit of the funds and appropriations from each State
18 Agency to the appropriation authorized in the Building Maintenance Section of
19 this Act and to the various Department of Finance and Administration -
20 Building Authority Division accounts to be used exclusively by the Department
21 of Finance and Administration - Building Authority Division for the fiscal
22 year.

23 The provisions of this section shall be in effect only from July 1, ~~2018~~
24 2019 through June 30, ~~2019~~ 2020.

25

26 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

28 SUSTAINABLE BUILDING DESIGN PROGRAM - TRANSFER. In the event there is not
29 sufficient appropriation and/or funding provided for by the General Assembly
30 for any state agency, board or commission to participate in the Sustainable
31 Building Design Program for renovations of state owned property which exceeds
32 two hundred fifty thousand dollars (\$250,000), the agency may request a
33 transfer from the Sustainable Building Design Program appropriation
34 authorized in the Sustainable Building Design Program Section of this Act
35 from the Chief Fiscal Officer of the State. The request shall clearly state
36 the amount required and such other information as may be required by the

1 Chief Fiscal Officer of the State necessary to make a decision regarding the
2 request. Upon approval of the Chief Fiscal Officer of the State and prior
3 review by the Arkansas Legislative Council or Joint Budget Committee, the
4 State Auditor shall be notified as of the amount and the purposes for which
5 the appropriation and/or funding is to be transferred and shall be
6 established upon the books of the Department of Finance and Administration
7 and the State Auditor. If desired, the appropriation may be supplemental to
8 those regularly appropriated for like purposes by the General Assembly for
9 that agency.

10 Provided further, that all state agencies, boards or commissions shall
11 have prior approval by the Department of Finance and Administration -
12 Building Authority Division as authorized for the Sustainable Building Design
13 Program in accordance with established Rules and Regulations.

14 The provisions of this section shall be in effect only from July 1, ~~2018~~
15 2019 through June 30, ~~2019~~ 2020.

16
17 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 SUSTAINABLE BUILDING DESIGN PROGRAM - REVOLVING LOAN FUND. The Sustainable
20 Building Design Program Appropriation is intended to provide additional
21 appropriation authority for the Sustainable Building Design Program. Funding
22 for the program may be made available by the Chief Fiscal Officer of the
23 State, in the form of a loan, from a transfer from the Sustainable Building
24 Design Revolving Loan Fund after the required review by the Arkansas
25 Legislative Council or Joint Budget Committee, approval by the Chief Fiscal
26 Officer of the State and approval through rules and regulations established
27 and administered by the Department of Finance and Administration - Building
28 Authority Division. Moneys made available for the repayment of a loan shall
29 be deposited to the credit of the Sustainable Building Design Revolving Loan
30 Fund as a "Refund to Expenditure" for the year in which the deposit is made.
31 In the event that the funds for the repayment of a loan are held in
32 depositories other than the State Treasury, the administrative head of the
33 affected state agency shall issue a check drawn against the funds, which
34 shall be deposited in the Sustainable Building Design Revolving Loan Fund.

35 The provisions of this section shall be in effect only from July 1, ~~2018~~
36 2019 through June 30, ~~2019~~ 2020.

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2 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
4 TRANSFER - GENERAL IMPROVEMENT FUNDS. The Chief Fiscal Officer of the State
5 may transfer from time to time on his or her books and those of the State
6 Treasurer and the Auditor of the State funding which is made available from
7 General Improvement Funds allocated and distributed to the Department of
8 Finance and Administration - Building Authority Division in an amount not to
9 exceed three million dollars (\$3,000,000) from the General Improvement Fund
10 or its successor fund or fund accounts to the Sustainable Building Design
11 Revolving Loan Fund to provide funds for the appropriation provided herein or
12 for appropriation authority as may be provided by law to provide loans to
13 agencies for the Sustainable Building Design Program.

14 The provisions of this section shall be in effect only from July 1, ~~2018~~
15 2019 through June 30, ~~2019~~ 2020.

16
17 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
19 TRANSFER - FEDERAL FUNDS. From time to time, the Chief Fiscal Officer of the
20 State may transfer on his or her books and those of the State Treasurer and
21 the Auditor of the State the sum not to exceed twelve million dollars
22 (\$12,000,000) from Federal Funds as determined by the Chief Fiscal Officer of
23 the State to the Sustainable Building Design Revolving Loan Fund to provide
24 funds for the appropriations herein.

25 The provisions of this section shall be in effect only from July 1, ~~2018~~
26 2019 through June 30, ~~2019~~ 2020.

27
28 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
30 TRANSFER - CASH FUND ACCOUNT. The Department of Finance and Administration -
31 Building Authority Division is authorized to transfer any unspent funds
32 remaining in any cash fund account established for the management of a state
33 owned facility managed by, but not owned by, the Department of Finance and
34 Administration - Building Authority Division to the Department of Finance and
35 Administration - Building Authority Maintenance Fund to support the
36 facility's Maintenance and Operations appropriations.

1 The provisions of this section shall be in effect only from July 1, ~~2018~~
2 2019 through June 30, ~~2019~~ 2020.

3
4 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
6 TRANSFER - INSURANCE DEPARTMENT TRUST FUND. Department of Finance and
7 Administration - Building Authority Division may from time to time as may be
8 necessary and in such amounts as may be necessary and with the approval of
9 the Chief Fiscal Officer of the State, request a transfer of funds from the
10 Insurance Department Trust Fund to the Building Authority Division Real
11 Estate Fund to provide funds for land acquisition and building construction
12 in an amount not to exceed the dollar amount appropriated in the Acquisition
13 and Maintenance Section. Upon his approval, the Chief Fiscal Officer of the
14 State shall then initiate the necessary transfer documents to reflect the
15 transfer upon the fiscal records of the State Auditor, the State Treasurer,
16 the Chief Fiscal Officer of the State and Department of Finance and
17 Administration - Building Authority Division.

18 The provisions of this section shall be in effect only from July 1, ~~2018~~
19 2019 through June 30, ~~2019~~ 2020.

20
21 SECTION 24. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
22 authorized by this act shall be limited to the appropriation for such agency
23 and funds made available by law for the support of such appropriations; and
24 the restrictions of the State Procurement Law, the General Accounting and
25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
26 Procedures and Restrictions Act, or their successors, and other fiscal
27 control laws of this State, where applicable, and regulations promulgated by
28 the Department of Finance and Administration, as authorized by law, shall be
29 strictly complied with in disbursement of said funds.

30
31 SECTION 25. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this act shall be in compliance with the stated reasons for
34 which this act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget
36 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

3
4 SECTION 26. EMERGENCY CLAUSE. It is found and determined by the
5 General Assembly, that the Constitution of the State of Arkansas prohibits
6 the appropriation of funds for more than a one (1) year period; that the
7 effectiveness of this Act on July 1, 2019 is essential to the operation of
8 the agency for which the appropriations in this Act are provided, and that in
9 the event of an extension of the legislative session, the delay in the
10 effective date of this Act beyond July 1, 2019 could work irreparable harm
11 upon the proper administration and provision of essential governmental
12 programs. Therefore, an emergency is hereby declared to exist and this Act
13 being necessary for the immediate preservation of the public peace, health
14 and safety shall be in full force and effect from and after July 1, 2019.

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17 */s/Joint Budget Committee*

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20 **APPROVED: 4/5/19**