

1 State of Arkansas  
2 91st General Assembly  
3 Second Extraordinary Session, 2018  
4

Call Item 8

# A Bill

SENATE BILL 7

5 By: Senator G. Stubblefield  
6 By: Representative Bentley  
7

## For An Act To Be Entitled

9 AN ACT TO EXEMPT CERTAIN PROPERTY UNDER THE CONTROL  
10 AND MANAGEMENT OF THE STATE PARKS, RECREATION, AND  
11 TRAVEL COMMISSION FROM REQUIREMENTS OF THE BUILDING  
12 AUTHORITY DIVISION OF THE DEPARTMENT OF FINANCE AND  
13 ADMINISTRATION; TO DECLARE AN EMERGENCY; AND FOR  
14 OTHER PURPOSES.  
15

## Subtitle

16  
17  
18 TO AMEND THE REQUIREMENT FOR CERTAIN  
19 PROPERTY UNDER THE CONTROL AND MANAGEMENT  
20 OF THE STATE PARKS, RECREATION, AND  
21 TRAVEL COMMISSION; AND TO DECLARE AN  
22 EMERGENCY.  
23

24  
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
26

27 SECTION 1. Arkansas Code § 22-2-102, concerning the definitions used  
28 in the Building Authority Division Act, is amended to add an additional  
29 subdivision to read as follows:

30 (4) "Unpaved trail project" means a project to create a trail:

31 (A) That is on property under the immediate control and  
32 management of the State Parks, Recreation, and Travel Commission;

33 (B) That is either:

34 (1) To be used solely for recreational purposes; or

35 (2) Otherwise necessary to carry out the mission of  
36 the commission; and



1                    (C) For which the labor, services, and commodities are  
2 donated.

3  
4            SECTION 2. Arkansas Code § 22-2-108(9)(B), concerning the powers and  
5 duties of the Building Authority Division of the Department of Finance and  
6 Administration, is amended to read as follows:

7                    (B) However, the division shall not:

8                            (i) engage Engage in the production of architectural  
9 plans and specifications, with the exception that the architects and  
10 engineers employed by the division may provide and make available technical  
11 assistance to the division’s sections listed in § 22-2-107 and other agencies  
12 regarding capital improvements involving roofing projects, repairs,  
13 alterations, or renovations; or

14                            (ii) Apply minimum design and construction standards  
15 and criteria to the design or construction of an unpaved trail project.

16  
17            SECTION 3. Arkansas Code § 22-2-113(a)(7) and (8), concerning the  
18 duties of the Building Authority Division of the Department of Finance and  
19 Administration regarding the schedule of supervision of capital improvement  
20 projects, are amended to read as follows:

21                    (7)(A) Review and approve construction plans ~~so as~~ to ensure  
22 compliance with minimum construction standards and criteria promulgated by  
23 the director as provided in this chapter~~+~~.

24                            (B)(i) This subdivision (a)(7) does not apply to the design  
25 or construction of an unpaved trail project.

26                            (ii) The State Parks, Recreation, and Travel  
27 Commission shall ensure that an unpaved trail project created under this  
28 subdivision (a)(7) meets the standards for observation by registered  
29 professionals as established by the division.

30                    (8)(A) As agent for the agency, negotiate and approve all  
31 construction contracts, ~~and~~ revisions, ~~and~~ modifications ~~thereto~~ necessary  
32 for the capital improvement~~+~~.

33                            (B)(i) This subdivision (a)(8) does not apply to the design  
34 or construction of an unpaved trail project.

35                            (ii) The State Parks, Recreation, and Travel  
36 Commission shall ensure that an unpaved trail project created under this

1 subdivision (a)(8) adheres to applicable public works laws.

2

3 SECTION 4. Arkansas Code § 22-9-101(c), concerning the requirement of  
4 observation by registered professionals for capital improvements of public  
5 works, is amended to read as follows:

6 (c) This section ~~shall~~ does not apply to:

7 (1) ~~any~~ A school district, county, municipality, or township  
8 project that is planned and executed according to plans and specifications  
9 furnished by authorized state agencies; or

10 (2)(A) The design or construction of an unpaved trail project as  
11 defined under § 22-2-102.

12 (B) The State Parks, Recreation, and Travel Commission  
13 shall ensure that an unpaved trail project created under this subdivision  
14 (c)(2) meets the standards for observation by registered professionals as  
15 established by the Building Authority Division of the Department of Finance  
16 and Administration.

17

18 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the  
19 General Assembly of the State of Arkansas that the efficient design and  
20 construction of unpaved trail projects on property of the State Parks,  
21 Recreation, and Travel Commission will increase economic development in the  
22 state; that certain regulatory requirements have delayed unpaved trail  
23 projects in the state; that it is in the best interest of the state to remove  
24 certain regulatory burdens on these unpaved trail projects; and that the  
25 immediate implementation of this act will allow for the expedited design and  
26 construction of these unpaved trail projects and improve economic development  
27 across the state through the ability to immediately improve Arkansas's state  
28 parks and increase tourism. Therefore, an emergency is declared to exist,  
29 and this act being immediately necessary for the preservation of the public  
30 peace, health, and safety shall become effective on:

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

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

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