

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4  
5 By: Senator S. Flowers  
6

# A Bill

SENATE BILL 695

## For An Act To Be Entitled

8 AN ACT TO AMEND THE DISTRIBUTION OF CERTAIN REAL  
9 PROPERTY TRANSFER TAX REVENUES; TO PROVIDE A SOURCE  
10 OF FUNDING FOR LAND-GRANT MATCH PAYMENTS FOR THE  
11 UNIVERSITY OF ARKANSAS AT PINE BLUFF; AND FOR OTHER  
12 PURPOSES.

## Subtitle

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16 TO AMEND THE DISTRIBUTION OF CERTAIN REAL  
17 PROPERTY TRANSFER TAX REVENUES; AND TO  
18 PROVIDE A SOURCE OF FUNDING FOR LAND-  
19 GRANT MATCH PAYMENTS FOR THE UNIVERSITY  
20 OF ARKANSAS AT PINE BLUFF.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. DO NOT CODIFY. Legislative findings.

26 The General Assembly finds that:

27 (1) The University of Arkansas at Pine Bluff is one (1) of only  
28 two (2) land-grant universities in the State of Arkansas;

29 (2) The University of Arkansas at Pine Bluff is the only  
30 university in the state that does not receive sufficient general revenues to  
31 provide the entire required state match for land-grant universities under the  
32 Agricultural College Act of 1890, 7 U.S.C. § 321 et seq.;

33 (3) The University of Arkansas at Pine Bluff is required to find  
34 other revenue sources each year to try to make the complete match payments  
35 required of land-grant universities under federal law; and

36 (4) The state should provide a permanent source of funding for



1 the University of Arkansas at Pine Bluff to fully fund the match payments  
2 required of land-grant universities under federal law.

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4 SECTION 2. Arkansas Code Title 6, Chapter 64, Subchapter 10, is  
5 amended to add an additional section to read as follows:

6 6-64-1014. University of Arkansas at Pine Bluff Land Grant Match -  
7 Certification and verification.

8 (a) Before October 1 of each year, the Chancellor of the University of  
9 Arkansas at Pine Bluff shall certify in writing to the Chief Fiscal Officer  
10 of the State the amount allocated to the university under the Agricultural  
11 College Act of 1890, 7 U.S.C. § 321 et seq., concerning land-grant colleges  
12 and universities, the amount of the required state match, and the amount of  
13 the required state match that exceeds the general revenues budgeted by the  
14 university for the purpose of making the required state match.

15 (b) The chancellor shall submit information to the Chief Fiscal  
16 Officer of the State evidencing the amounts certified under subsection (a) of  
17 this section, including without limitation documentation received from the  
18 federal government reflecting the exact amount that will be made available to  
19 the university and any other information requested by the Chief Fiscal  
20 Officer of the State to verify the amounts certified under subsection (a) of  
21 this section.

22 (c) Upon receiving the certification from the university under  
23 subsection (b) of this section, the Chief Fiscal Officer of the State shall  
24 verify the amount of the state match required for the next state fiscal year  
25 under the Agricultural College Act of 1890, 7 U.S.C. § 321 et seq. that  
26 exceeds the general revenues budgeted by the university for the purpose of  
27 making the required state match.

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29 SECTION 3. Arkansas Code § 15-12-103(b)(1), concerning the disposition  
30 of certain real property transfer tax revenues, is amended to read as  
31 follows:

32 (b) After deducting three percent (3%) of the revenues for  
33 distribution to the Constitutional Officers Fund and the State Central  
34 Services Fund to be used for the purposes as provided by law, the Treasurer  
35 of State shall credit the net amount thereof as follows:

36 (1)~~(A)~~ Eighty percent (80%) of the net amount shall be credited

1 ~~to~~ as follows:

2 (A) The amount verified by the Chief Fiscal Officer of the  
3 State under § 6-64-1014(c) shall be credited to the University of Arkansas at  
4 Pine Bluff Fund to be used to make the required state match under the  
5 Agricultural College Act of 1890, 7 U.S.C. § 321 et seq.; and

6 (B)(i) The remaining amount shall be credited to the  
7 Arkansas Natural and Cultural Resources Grants and Trust Fund, to be  
8 preserved and managed by the Arkansas Natural and Cultural Resources Council  
9 for use in the acquisition, management, and stewardship of state-owned lands  
10 or the preservation of state-owned historic sites, buildings, structures, or  
11 objects which the council determines to be of value for recreation or  
12 conservation purposes, with the properties to be used, preserved, and  
13 conserved for the benefit of this and future generations.

14 ~~(B)~~ (ii) It is not the intention of this chapter  
15 that the council shall itself manage, operate, or maintain any lands so  
16 acquired, but, rather, that it from time to time in its own discretion shall  
17 make grants to other agencies of the state authorized by law to acquire,  
18 manage, operate, and maintain the lands.

19 ~~(C)~~ (iii) The grants shall be made in such amounts,  
20 for such purposes, and to such agencies as the council in its discretion  
21 shall select.

22 ~~(D)~~ (iv) However, in choosing among competing  
23 purposes or expenditures, the council shall be guided by the principles set  
24 forth in the Arkansas Statewide Comprehensive Outdoor Recreation Plan as it  
25 may exist and be in force from time to time.

26 ~~(E)~~ (v) In funding state park improvements, the  
27 council should initially emphasize the restoration or renovation of existing  
28 facilities and historic structures within the system.

29 ~~(F)~~ (vi) The council in its discretion shall have  
30 power either to allow moneys paid into the Natural and Cultural Resources  
31 Grants and Trust Fund to accumulate, with only the income thereon being  
32 spent, or to expend the whole or any part of the corpus or principal of the  
33 Natural and Cultural Resources Grants and Trust Fund.

34 ~~(G)~~ (vii) However, the council shall have power to  
35 do any and all things necessary to take advantage of federal or private funds  
36 donated or obtainable through the use of the Natural and Cultural Resources

1 Grants and Trust Fund.

2 ~~(H)~~ (viii) Without limiting the generality of the  
3 foregoing provisions of this section, the council shall have power to set  
4 aside any portion of the Natural and Cultural Resources Grants and Trust Fund  
5 into a separate and segregated account, the corpus or principal of which  
6 shall be inviolate, and only the income of which may be expended, to the  
7 extent necessary to comply with any federal law, regulation, or other  
8 requirement in connection with federal matching or grant moneys.

9 ~~(I)~~ (ix) As used in this section, the term  
10 “stewardship” shall include moneys necessary for the maintenance,  
11 preservation, operation, improvement, and management of state-owned lands  
12 acquired for recreational or conservational purposes and shall include such  
13 other stewardship purposes as may be authorized by the council;

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