

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 394

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF HIGHER
EDUCATION REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION. There is hereby appropriated, to the
Department of Higher Education, to be payable from the General Improvement
Fund or its successor fund or fund accounts, for the Department of Higher
Education the following:

(A) Effective July 1, 2017, the balance of the appropriation provided
in Item (A) Section 1 of Act 17 of 2016, for Governor's Distinguished
Scholars program scholarships, in a sum not to exceed.....\$4,000,000.

(B) Effective July 1, 2017, the balance of the appropriation provided
in Item (B) Section 1 of Act 17 of 2016, for various maintenance, renovation,
equipping, construction, acquisition, improvement, upgrade, and repair of
real property and facilities of the Institutions of Higher Education, in a
sum not to exceed.....\$15,000,000.

(C) Effective July 1, 2017, the balance of the appropriation provided
in Item (C) Section 1 of Act 17 of 2016, for grants for scholarships for
Historically Black Colleges and Universities and for personal services and
operating expenses as determined by the Department of Higher Education for
outreach programs to promote awareness of the scholarships for Historically



1 Black Colleges and Universities, in a sum not to exceed.....\$10,000.

2 (D) Effective July 1, 2017, the balance of the appropriation provided
3 in Item (D) Section 1 of Act 17 of 2016, for grants for scholarships for
4 Historically Black Colleges and Universities and for personal services and
5 operating expenses as determined by the Department of Higher Education for
6 outreach programs to promote awareness of the scholarships for Historically
7 Black Colleges and Universities, in a sum not to exceed.....\$30,000.

8 (E) Effective July 1, 2017, the balance of the appropriation provided
9 in Item (E) Section 1 of Act 17 of 2016, for fund transfer to the Workforce
10 Initiative Act of 2015 Fund, in a sum not to exceed.....\$2,000,000.
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12 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
13 obligations otherwise incurred in relation to the project or projects
14 described herein in excess of the State Treasury funds actually available
15 therefor as provided by law. Provided, however, that institutions and
16 agencies listed herein shall have the authority to accept and use grants and
17 donations including Federal funds, and to use its unobligated cash income or
18 funds, or both available to it, for the purpose of supplementing the State
19 Treasury funds for financing the entire costs of the project or projects
20 enumerated herein. Provided further, that the appropriations and funds
21 otherwise provided by the General Assembly for Maintenance and General
22 Operations of the agency or institutions receiving appropriation herein shall
23 not be used for any of the purposes as appropriated in this act.

24 (B) The restrictions of any applicable provisions of the State
25 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
26 Revenue Stabilization Law and any other applicable fiscal control laws of
27 this State and regulations promulgated by the Department of Finance and
28 Administration, as authorized by law, shall be strictly complied with in
29 disbursement of any funds provided by this act unless specifically provided
30 otherwise by law.
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32 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this act shall be in compliance with the stated reasons for
35 which this act was adopted, as evidenced by the Agency Requests, Executive
36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.
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5 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
6 Assembly, that the Constitution of the State of Arkansas prohibits the
7 appropriation of funds for more than a one (1) year period; that the
8 effectiveness of this Act on July 1, 2017 is essential to the operation of
9 the agency for which the appropriations in this Act are provided, and that in
10 the event of an extension of the legislative session, the delay in the
11 effective date of this Act beyond July 1, 2017 could work irreparable harm
12 upon the proper administration and provision of essential governmental
13 programs. Therefore, an emergency is hereby declared to exist and this Act
14 being necessary for the immediate preservation of the public peace, health
15 and safety shall be in full force and effect from and after July 1, 2017.
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