

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.

Act 1396 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H2/10/05

A Bill

HOUSE BILL 1276

5 By: Joint Budget Committee
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8 **For An Act To Be Entitled**

9 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS
11 BUILDING AUTHORITY; AND FOR OTHER PURPOSES.
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14 **Subtitle**

15 AN ACT FOR THE ARKANSAS BUILDING
16 AUTHORITY REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REAPPROPRIATION – GENERAL IMPROVEMENT FUND. There is hereby
22 appropriated, to the Arkansas Building Authority, to be payable from the
23 General Improvement Fund or its successor fund or fund accounts, for the
24 Arkansas Building Authority, the following:

25 (A) Effective July 1, 2005, the balance of the appropriation provided in
26 Item (A) of Section 1 of Act 158 of 2003, for maintenance, construction, and
27 equipping of State Buildings, in a sum not to exceed\$1,000,000.
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29 SECTION 2. REAPPROPRIATION - CASH FUNDS. There is hereby appropriated, to
30 the Arkansas Building Authority, to be payable from the cash funds as defined
31 by Arkansas Code 19-4-801, for the Arkansas Building Authority, the
32 following:

33 (A) Effective July 1, 2005, the balance of the appropriation provided in
34 Item (C) of Section 1 of Act 232 of 2003, for costs associated with
35 construction and renovation of the Justice Building, in a sum not to exceed



1\$1,980,000.

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3 SECTION 3. REAPPROPRIATION - MAINTENANCE FUND. There is hereby
4 appropriated, to the Arkansas Building Authority, to be payable from the
5 Arkansas Building Authority Maintenance Fund, the following:

6 (A) Effective July 1, 2005, the balance of the appropriation provided in
7 Item (A) of Section 3 of Act 232 of 2003 and Item (01) of Section 9 of Act
8 1211 of 2003, for critical maintenance of various state buildings, in a sum
9 not to exceed.....\$2,281,716.

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11 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
12 obligations otherwise incurred in relation to the project or projects
13 described herein in excess of the State Treasury funds actually available
14 therefor as provided by law. Provided, however, that institutions and
15 agencies listed herein shall have the authority to accept and use grants and
16 donations including Federal funds, and to use its unobligated cash income or
17 funds, or both available to it, for the purpose of supplementing the State
18 Treasury funds for financing the entire costs of the project or projects
19 enumerated herein. Provided further, that the appropriations and funds
20 otherwise provided by the General Assembly for Maintenance and General
21 Operations of the agency or institutions receiving appropriation herein shall
22 not be used for any of the purposes as appropriated in this act.

23 (B) The restrictions of any applicable provisions of the State Purchasing
24 Law, the General Accounting and Budgetary Procedures Law, the Revenue
25 Stabilization Law and any other applicable fiscal control laws of this State
26 and regulations promulgated by the Department of Finance and Administration,
27 as authorized by law, shall be strictly complied with in disbursement of any
28 funds provided by this act unless specifically provided otherwise by law.

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30 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
31 that any funds disbursed under the authority of the appropriations contained
32 in this act shall be in compliance with the stated reasons for which this act
33 was adopted, as evidenced by the Agency Requests, Executive Recommendations
34 and Legislative Recommendations contained in the budget manuals prepared by
35 the Department of Finance and Administration, letters, or summarized oral
36 testimony in the official minutes of the Arkansas Legislative Council or

1 Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
4 Assembly, that the Constitution of the State of Arkansas prohibits the
5 appropriation of funds for more than a two (2) year period; that previous
6 General Assemblies have provided appropriations for the projects provided or
7 enumerated in this act; that certain appropriations will expire before the
8 adjournment of the General Assembly; and that if such appropriations expire,
9 the projects and programs authorized herein will cease thereby depriving the
10 citizens of the State of the benefits to be derived from such projects.
11 Therefore, an emergency is hereby declared to exist and this Act being
12 necessary for the immediate preservation of the public peace, health and
13 safety shall be in full force and effect from and after the date of its
14 passage and approval. If the bill is neither approved nor vetoed by the
15 Governor, it shall become effective on the expiration of the period of time
16 during which the Governor may veto the bill. If the bill is vetoed by the
17 Governor and the veto is overridden, it shall become effective on the date
18 the last house overrides the veto.

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20 /s/ Joint Budget Committee

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23 APPROVED: 3/30/2005
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