

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

SENATE BILL 119

4
5 By: Joint Budget Committee
6
7

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.
12
13

Subtitle

14 AN ACT FOR THE ARKANSAS BUILDING
15 AUTHORITY REAPPROPRIATION.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

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, for the Arkansas Building Authority, the following:

24 (A) Effective July 1, 2010, the balance of the appropriation provided in
25 Item (A) of Section 2 of Act 131 of 2009, for various maintenance,
26 renovation, equipping, construction, improvement, upgrade, and repair
27 projects for all state-owned facilities, in a sum not to exceed ..\$355,113.
28

29 (B) Effective July 1, 2010, the balance of the appropriation provided in
30 Item (A) of Section 3 of Act 131 of 2009, for various maintenance,
31 renovation, equipping, construction, acquisition, improvement, upgrade and
32 repair projects for all state-owned real property and facilities, in a sum
33 not to exceed\$3,160,000.
34

35 (C) Effective July 1, 2010, the balance of the appropriation provided in
36 Section 1 of Act 1363 of 2009, for a transfer to the Sustainable Building

1 Design Revolving Loan Fund to provide loans to agencies, boards or
2 commissions for the Sustainable Building Design Program, in a sum not to
3 exceed.....\$20,000,000.
4

5 (D) Effective July 1, 2010, the balance of the appropriation provided in
6 Item (A) of Section 1 of Act 265 of 2009, for maintenance, renovation,
7 equipping, construction, acquisition, improvement, upgrade and repair
8 projects for all state-owned real property and facilities, in a sum not to
9 exceed\$20,000,000.
10

11 SECTION 2. REAPPROPRIATION - CRITICAL MAINTENANCE. There is hereby
12 appropriated, to the Arkansas Building Authority, to be payable from the
13 Arkansas Building Authority Maintenance Fund, for the Arkansas Building
14 Authority, the following:

15 (A) Effective July 1, 2010, the balance of the appropriation provided in
16 Item (A) of Section 1 of Act 131 of 2009 and Item (01) of Section 9 of Act
17 213 of 2009, for critical maintenance of various state buildings, in a sum
18 not to exceed.....\$6,652,768.
19

20 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
21 obligations otherwise incurred in relation to the project or projects
22 described herein in excess of the State Treasury funds actually available
23 therefor as provided by law. Provided, however, that institutions and
24 agencies listed herein shall have the authority to accept and use grants and
25 donations including Federal funds, and to use its unobligated cash income or
26 funds, or both available to it, for the purpose of supplementing the State
27 Treasury funds for financing the entire costs of the project or projects
28 enumerated herein. Provided further, that the appropriations and funds
29 otherwise provided by the General Assembly for Maintenance and General
30 Operations of the agency or institutions receiving appropriation herein shall
31 not be used for any of the purposes as appropriated in this act.

32 (B) The restrictions of any applicable provisions of the State Purchasing
33 Law, the General Accounting and Budgetary Procedures Law, the Revenue
34 Stabilization Law and any other applicable fiscal control laws of this State
35 and regulations promulgated by the Department of Finance and Administration,
36 as authorized by law, shall be strictly complied with in disbursement of any

1 funds provided by this act unless specifically provided otherwise by law.

2
3 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
4 that any funds disbursed under the authority of the appropriations contained
5 in this act shall be in compliance with the stated reasons for which this act
6 was adopted, as evidenced by the Agency Requests, Executive Recommendations
7 and Legislative Recommendations contained in the budget manuals prepared by
8 the Department of Finance and Administration, letters, or summarized oral
9 testimony in the official minutes of the Arkansas Legislative Council or
10 Joint Budget Committee which relate to its passage and adoption.

11
12 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
13 Assembly, that the Constitution of the State of Arkansas prohibits the
14 appropriation of funds for more than a one (1) year period; that the
15 effectiveness of this Act on July 1, 2010 is essential to the operation of
16 the agency for which the appropriations in this Act are provided, and that in
17 the event of an extension of the legislative session, the delay in the
18 effective date of this Act beyond July 1, 2010 could work irreparable harm
19 upon the proper administration and provision of essential governmental
20 programs. Therefore, an emergency is hereby declared to exist and this Act
21 being necessary for the immediate preservation of the public peace, health
22 and safety shall be in full force and effect from and after July 1, 2010.

23
24 **APPROVED: 02/19/2010**