

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 131 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

SENATE BILL 273

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS
BUILDING AUTHORITY; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS BUILDING
AUTHORITY REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - CRITICAL MAINTENANCE. There is hereby appropriated, to the Arkansas Building Authority, to be payable from the Arkansas Building Authority Maintenance Fund, for the Arkansas Building Authority, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 1 of Act 421 of 2007 and Item (1) of Section 9 of Act 1220 of 2007, for critical maintenance of various state buildings, in a sum not to exceed\$5,549,404.

SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT FUND. There is hereby appropriated, to the Arkansas Building Authority, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Arkansas Building Authority, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 2 of Act 421 of 2007, for various maintenance,



1 renovation, equipping, construction, improvement, upgrade, and repair
2 projects for all state-owned facilities, in a sum not to exceed.....\$783,518.

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4 SECTION 3. REAPPROPRIATION - VARIOUS PROJECTS. There is hereby
5 appropriated, to the Arkansas Building Authority, to be payable from the
6 General Improvement Fund or its successor fund or fund accounts, for the
7 Arkansas Building Authority, the following:

8 (A) Effective July 1, 2009, the balance of the appropriation provided in
9 Item (A) of Section 1 of Act 1142 of 2007, for various maintenance,
10 renovation, equipping, construction, acquisition, improvement, upgrade and
11 repair projects for all state-owned real property and facilities, in a sum
12 not to exceed\$12,751,745.

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14 SECTION 4. REAPPROPRIATION - GOVERNOR'S MANSION PROJECT. There is hereby
15 appropriated, to the Arkansas Building Authority, to be payable from the
16 Arkansas Natural and Cultural Resources Grant and Trust Fund, for the
17 Arkansas Building Authority, the following:

18 (A) Effective July 1, 2009, the balance of the appropriation provided in
19 Item (A) of Section 3 of Act 421 of 2007, for a grant by the Department of
20 Arkansas Heritage - Natural and Cultural Resources Council for a contract for
21 the Governor's Mansion Landscape/Art Project, in a sum not to exceed
22\$26,786.

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24 SECTION 5. REAPPROPRIATION - MAINTENANCE/ CONSTRUCTION/ EQUIPMENT. There
25 is hereby appropriated, to the Arkansas Building Authority, to be payable
26 from the General Improvement Fund or its successor fund or fund accounts, for
27 the Arkansas Building Authority, the following:

28 (A) Effective July 1, 2009, the balance of the appropriation provided in
29 Item (B) of Section 2 of Act 421 of 2007, for maintenance, construction, and
30 equipping of State Buildings, in a sum not to exceed\$579,628.

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32 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
33 obligations otherwise incurred in relation to the project or projects
34 described herein in excess of the State Treasury funds actually available
35 therefor as provided by law. Provided, however, that institutions and
36 agencies listed herein shall have the authority to accept and use grants and

1 donations including Federal funds, and to use its unobligated cash income or
2 funds, or both available to it, for the purpose of supplementing the State
3 Treasury funds for financing the entire costs of the project or projects
4 enumerated herein. Provided further, that the appropriations and funds
5 otherwise provided by the General Assembly for Maintenance and General
6 Operations of the agency or institutions receiving appropriation herein shall
7 not be used for any of the purposes as appropriated in this act.

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

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

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24 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
25 Assembly, that the Constitution of the State of Arkansas prohibits the
26 appropriation of funds for more than a one (1) year period; that the
27 effectiveness of this Act on July 1, 2009 is essential to the operation of
28 the agency for which the appropriations in this Act are provided, and that in
29 the event of an extension of the Regular Session, the delay in the effective
30 date of this Act beyond July 1, 2009 could work irreparable harm upon the
31 proper administration and provision of essential governmental programs.
32 Therefore, an emergency is hereby declared to exist and this Act being
33 necessary for the immediate preservation of the public peace, health and
34 safety shall be in full force and effect from and after July 1, 2009.

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36 APPROVED: 2/12/2009