

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 317

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
10 HIGHER EDUCATION; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT FOR THE DEPARTMENT OF HIGHER
14 EDUCATION REAPPROPRIATION.
15
16

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. REAPPROPRIATION - TRUST - COLLEGE SAVINGS OBLIGATION. There
21 is hereby appropriated, to the Department of Higher Education, to be payable
22 from the Higher Education Projects Development Fund, for the Department of
23 Higher Education the following:

24 (A) Effective July 1, 2013, the balance of the appropriation provided
25 in Item (A) Section 25 of Act 71 of 2012, for the development of projects at
26 State Institutions of Higher Education and the payment of project costs and
27 expenses of the issuance of bonds of the Arkansas College Savings General
28 Obligation Bonds Program, in a sum not to exceed.....\$122,628.
29

30 SECTION 2. REAPPROPRIATION - TRUST - COLLEGE SAVINGS BOND. There is
31 hereby appropriated, to the Department of Higher Education, to be payable
32 from the Higher Education Projects Development Fund, for the Department of
33 Higher Education the following:

34 (A) Effective July 1, 2013, the balance of the appropriation provided
35 in Item (A) Section 26 of Act 71 of 2012, for the development of projects at
36 State Institutions of Higher Education and the payment of project costs and



1 expenses of the issuance of bonds of the Arkansas College Savings General
2 Obligation Bonds Program, in a sum not to exceed.....\$3,050,209.

3
4 SECTION 3. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
5 appropriated, to the Department of Higher Education, to be payable from the
6 General Improvement Fund or its successor fund or fund accounts, for the
7 Department of Higher Education the following:

8 (A) Effective July 1, 2013, the balance of the appropriation provided
9 in Item (A) Section 24 of Act 71 of 2012, for various maintenance,
10 renovation, equipping, construction, acquisition, improvement, upgrade, and
11 repair of real property and facilities for all public four-year institutions,
12 two-year institutions, and technical colleges, in a sum not to exceed
13\$300,000.

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

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

33
34 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
35 Assembly that any funds disbursed under the authority of the appropriations
36 contained in this act shall be in compliance with the stated reasons for

1 which this act was adopted, as evidenced by the Agency Requests, Executive
2 Recommendations and Legislative Recommendations contained in the budget
3 manuals prepared by the Department of Finance and Administration, letters, or
4 summarized oral testimony in the official minutes of the Arkansas Legislative
5 Council or Joint Budget Committee which relate to its passage and adoption.
6

7 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
8 Assembly, that the Constitution of the State of Arkansas prohibits the
9 appropriation of funds for more than a one (1) year period; that the
10 effectiveness of this Act on July 1, 2013 is essential to the operation of
11 the agency for which the appropriations in this Act are provided, and that in
12 the event of an extension of the legislative session, the delay in the
13 effective date of this Act beyond July 1, 2013 could work irreparable harm
14 upon the proper administration and provision of essential governmental
15 programs. Therefore, an emergency is hereby declared to exist and this Act
16 being necessary for the immediate preservation of the public peace, health
17 and safety shall be in full force and effect from and after July 1, 2013.
18

19
20 **APPROVED: 03/01/2013**
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36