

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

A Bill

SENATE BILL 431

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 HIGHER EDUCATION FOR INSTITUTIONS' CONSTRUCTION,
10 MAINTENANCE, REPAIR, AND EQUIPMENT COSTS AND AGENCY
11 RELOCATION COSTS; AND FOR OTHER PURPOSES.
12
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF HIGHER
15 EDUCATION - INSTITUTIONS' CONSTRUCTION,
16 MAINTENANCE, REPAIR, AND EQUIPMENT COSTS
17 AND AGENCY RELOCATION COSTS GENERAL
18 IMPROVEMENT APPROPRIATION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. APPROPRIATION. There is hereby appropriated, to the
25 Department of Higher Education, to be payable from the General Improvement
26 Fund or its successor fund or fund accounts, the following:

27 (A) for maintenance, renovation, equipment, construction, acquisition,
28 improvement, upgrade, and repair of real property and facilities of
29 institutions of higher education, in a sum not to exceed.....\$15,000,000.

30 (B) for maintenance, renovation, equipment, construction, acquisition,
31 improvement, and operational expenses related to the relocation of Department
32 of Higher Education offices, in a sum not to exceed.....\$300,000.
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34 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
35 obligations otherwise incurred in relation to the project or projects
36 described herein in excess of the State Treasury funds actually available



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

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

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

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26 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
27 Assembly, that the Constitution of the State of Arkansas prohibits the
28 appropriation of funds for more than a one (1) year period; that the
29 effectiveness of this Act on July 1, 2013 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the legislative session, the delay in the
32 effective date of this Act beyond July 1, 2013 could work irreparable harm
33 upon the proper administration and provision of essential governmental
34 programs. Therefore, an emergency is hereby declared to exist and this Act
35 being necessary for the immediate preservation of the public peace, health
36 and safety shall be in full force and effect from and after July 1, 2013.

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APPROVED: 03/06/2013