

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

SENATE BILL 326

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.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. REAPPROPRIATION. There is hereby appropriated, to the  
21 Department of Higher Education, to be payable from the Development and  
22 Enhancement Fund, for the Department of Higher Education the following:

23 (A) Effective July 1, 2019, the balance of the appropriation provided  
24 in Item (A) of Section 1 of Act 32 of 2018, for the Governor's Distinguished  
25 Scholar program, in a sum not to exceed .....\$4,000,000.

26 (B) Effective July 1, 2019, the balance of the appropriation provided  
27 in Item (B) of Section 1 of Act 32 of 2018, for Workforce Implementation  
28 Grants, in a sum not to exceed .....\$6,000,000.

29 (C) Effective July 1, 2019, the balance of the appropriation provided  
30 in Item (C) of Section 1 of Act 32 of 2018, for construction, renovation,  
31 maintenance, equipment, personal services and operating expenses of the  
32 various institutions of higher education, in a sum not to exceed  
33 .....\$5,967,541.  
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35 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
36 obligations otherwise incurred in relation to the project or projects



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

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

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

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 28 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
 29 Assembly, that the Constitution of the State of Arkansas prohibits the  
 30 appropriation of funds for more than a one (1) year period; that the  
 31 effectiveness of this Act on July 1, 2019 is essential to the operation of  
 32 the agency for which the appropriations in this Act are provided, and that in  
 33 the event of an extension of the legislative session, the delay in the  
 34 effective date of this Act beyond July 1, 2019 could work irreparable harm  
 35 upon the proper administration and provision of essential governmental  
 36 programs. Therefore, an emergency is hereby declared to exist and this Act

1 being necessary for the immediate preservation of the public peace, health  
2 and safety shall be in full force and effect from and after July 1, 2019.

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5 **APPROVED: 3/1/19**  
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