

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 126 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

SENATE BILL 212

5 By: Joint Budget Committee  
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## For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF  
FINANCE AND ADMINISTRATION - DISBURSING OFFICER -  
CAPITAL PROJECTS; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE  
AND ADMINISTRATION - DISBURSING OFFICER  
- CAPITAL PROJECTS REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - CAPITAL PROJECTS. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 155 of 2003, for providing contingency appropriation for capital projects and costs associated with major maintenance, in a sum not to exceed .....\$500,000.

SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and



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

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

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

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25 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
26 Assembly, that the Constitution of the State of Arkansas prohibits the  
27 appropriation of funds for more than a two (2) year period; that previous  
28 General Assemblies have provided appropriations for the projects provided or  
29 enumerated in this act; that certain appropriations will expire before the  
30 adjournment of the General Assembly; and that if such appropriations expire,  
31 the projects and programs authorized herein will cease thereby depriving the  
32 citizens of the State of the benefits to be derived from such projects.  
33 Therefore, an emergency is hereby declared to exist and this Act being  
34 necessary for the immediate preservation of the public peace, health and  
35 safety shall be in full force and effect from and after July 1, 2005.

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APPROVED: 2/10/2005