

1 State of Arkansas  
2 90th General Assembly  
3 Fiscal Session, 2016

# A Bill

SENATE BILL 21

4  
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.

## Subtitle

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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 General Improvement  
22 Fund or its successor fund or fund accounts, for the Department of Higher  
23 Education the following:

24 (A) Effective July 1, 2016, the balance of the appropriation provided  
25 in Item (A) Section 1 of Act 200 of 2015, for Governor's Distinguished  
26 Scholars program scholarships, in a sum not to exceed.....\$4,000,000.

27 (B) Effective July 1, 2016, the balance of the appropriation provided  
28 in Item (B) Section 1 of Act 200 of 2015, for various maintenance,  
29 renovation, equipping, construction, acquisition, improvement, upgrade, and  
30 repair of real property and facilities of the Institutions of Higher  
31 Education, in a sum not to exceed.....\$15,000,000.

32 (C) Effective July 1, 2016, the balance of the appropriation provided  
33 in Item (A) Section 1 of Act 510 of 2015, for grants for scholarships for  
34 Historically Black Colleges and Universities and for personal services and  
35 operating expenses as determined by the Department of Higher Education for  
36 outreach programs to promote awareness of the scholarships for Historically



1 Black Colleges and Universities, in a sum not to exceed.....\$10,000.

2 (D) Effective July 1, 2016, the balance of the appropriation provided  
3 in Item (A) Section 1 of Act 630 of 2015, for grants for scholarships for  
4 Historically Black Colleges and Universities and for personal services and  
5 operating expenses as determined by the Department of Higher Education for  
6 outreach programs to promote awareness of the scholarships for Historically  
7 Black Colleges and Universities, in a sum not to exceed.....\$30,000.

8 (E) Effective July 1, 2016, the balance of the appropriation provided  
9 in Item (A) Section 18 of Act 978 of 2015, for fund transfer to the Workforce  
10 Initiative Act of 2015 Fund, in a sum not to exceed.....\$2,000,000.

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12 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
13 obligations otherwise incurred in relation to the project or projects  
14 described herein in excess of the State Treasury funds actually available  
15 therefor as provided by law. Provided, however, that institutions and  
16 agencies listed herein shall have the authority to accept and use grants and  
17 donations including Federal funds, and to use its unobligated cash income or  
18 funds, or both available to it, for the purpose of supplementing the State  
19 Treasury funds for financing the entire costs of the project or projects  
20 enumerated herein. Provided further, that the appropriations and funds  
21 otherwise provided by the General Assembly for Maintenance and General  
22 Operations of the agency or institutions receiving appropriation herein shall  
23 not be used for any of the purposes as appropriated in this act.

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

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32 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General  
33 Assembly that any funds disbursed under the authority of the appropriations  
34 contained in this act shall be in compliance with the stated reasons for  
35 which this act was adopted, as evidenced by the Agency Requests, Executive  
36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or  
2 summarized oral testimony in the official minutes of the Arkansas Legislative  
3 Council or Joint Budget Committee which relate to its passage and adoption.  
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5 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly, that the Constitution of the State of Arkansas prohibits the  
7 appropriation of funds for more than a one (1) year period; that the  
8 effectiveness of this Act on July 1, 2016 is essential to the operation of  
9 the agency for which the appropriations in this Act are provided, and that in  
10 the event of an extension of the legislative session, the delay in the  
11 effective date of this Act beyond July 1, 2016 could work irreparable harm  
12 upon the proper administration and provision of essential governmental  
13 programs. Therefore, an emergency is hereby declared to exist and this Act  
14 being necessary for the immediate preservation of the public peace, health  
15 and safety shall be in full force and effect from and after July 1, 2016.

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