

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.

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

A Bill

SENATE BILL 212

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

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9 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
11 FINANCE AND ADMINISTRATION - DISBURSING OFFICER -
12 CAPITAL PROJECTS; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF FINANCE
16 AND ADMINISTRATION - DISBURSING OFFICER
17 - CAPITAL PROJECTS REAPPROPRIATION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REAPPROPRIATION - CAPITAL PROJECTS. There is hereby
24 appropriated, to the Department of Finance and Administration - Disbursing
25 Officer, to be payable from the General Improvement Fund or its successor
26 fund or fund accounts, the following:

27 (A) Effective July 1, 2005, the balance of the appropriation provided in
28 Item (A) of Section 1 of Act 155 of 2003, for providing contingency
29 appropriation for capital projects and costs associated with major
30 maintenance, in a sum not to exceed\$500,000.
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32 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
33 obligations otherwise incurred in relation to the project or projects
34 described herein in excess of the State Treasury funds actually available
35 therefor as provided by law. Provided, however, that institutions and
36 agencies listed herein shall have the authority to accept and use grants and



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

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

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

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