

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

# A Bill

SENATE BILL 428

5 By: Senator B. Pierce  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF  
9 EDUCATION FOR GRANTS FOR A PILOT PROGRAM FOR  
10 BREAKFAST NUTRITIONAL PROGRAMS IN PUBLIC SCHOOLS; AND  
11 FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
15 PILOT PROGRAM FOR BREAKFAST NUTRITIONAL  
16 PROGRAMS IN PUBLIC SCHOOLS GENERAL  
17 IMPROVEMENT APPROPRIATION.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. APPROPRIATION - BREAKFAST NUTRITIONAL PROGRAMS. There is  
24 hereby appropriated, to the Department of Education, to be payable from the  
25 General Improvement Fund or its successor fund or fund accounts, the  
26 following:

27 (A) for grants for a pilot program to establish breakfast nutritional  
28 programs in public schools, in a sum not to exceed.....\$1,000,000.  
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30 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

32 Notwithstanding any other rules, regulations or provision of law to the  
33 contrary the appropriations authorized in this Act shall not be restricted by  
34 requirements that may be applicable to other programs currently administered.  
35 New rules and regulations may be adopted to carry out the intent of the  
36 General Assembly regarding the appropriations authorized in this Act.



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2 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
3 obligations otherwise incurred in relation to the project or projects  
4 described herein in excess of the State Treasury funds actually available  
5 therefor as provided by law. Provided, however, that institutions and  
6 agencies listed herein shall have the authority to accept and use grants and  
7 donations including Federal funds, and to use its unobligated cash income or  
8 funds, or both available to it, for the purpose of supplementing the State  
9 Treasury funds for financing the entire costs of the project or projects  
10 enumerated herein. Provided further, that the appropriations and funds  
11 otherwise provided by the General Assembly for Maintenance and General  
12 Operations of the agency or institutions receiving appropriation herein shall  
13 not be used for any of the purposes as appropriated in this act.

14 (B) The restrictions of any applicable provisions of the State Purchasing  
15 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
16 Stabilization Law and any other applicable fiscal control laws of this State  
17 and regulations promulgated by the Department of Finance and Administration,  
18 as authorized by law, shall be strictly complied with in disbursement of any  
19 funds provided by this act unless specifically provided otherwise by law.  
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21 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
22 Assembly that any funds disbursed under the authority of the appropriations  
23 contained in this act shall be in compliance with the stated reasons for  
24 which this act was adopted, as evidenced by the Agency Requests, Executive  
25 Recommendations and Legislative Recommendations contained in the budget  
26 manuals prepared by the Department of Finance and Administration, letters, or  
27 summarized oral testimony in the official minutes of the Arkansas Legislative  
28 Council or Joint Budget Committee which relate to its passage and adoption.  
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30 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
31 Assembly, that the Constitution of the State of Arkansas prohibits the  
32 appropriation of funds for more than a one (1) year period; that the  
33 effectiveness of this Act on July 1, 2013 is essential to the operation of  
34 the agency for which the appropriations in this Act are provided, and that in  
35 the event of an extension of the legislative session, the delay in the  
36 effective date of this Act beyond July 1, 2013 could work irreparable harm

upon the proper administration and provision of essential governmental  
programs. Therefore, an emergency is hereby declared to exist and this Act  
being necessary for the immediate preservation of the public peace, health  
and safety shall be in full force and effect from and after July 1, 2013.

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