

State of Arkansas

92nd General Assembly

Fiscal Session, 2020

A Bill

SENATE BILL 10

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
EDUCATION - DIVISION OF HIGHER EDUCATION; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION -
DIVISION OF HIGHER EDUCATION
REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - ADE - DHE - DEVELOPMENT AND ENHANCEMENT
FUND. There is hereby appropriated, to the Department of Education, to be
payable from the Development and Enhancement Fund, for the Department of
Education - Division of Higher Education the following:

(A) Effective July 1, 2020, the balance of the appropriation provided
in Item (A) of Section 1 of Act 350 of 2019, for various maintenance,
renovation, equipping, construction, acquisition, improvement, upgrade, and
repair of real property and facilities for all public four-year institutions,
two-year institutions, and technical colleges, in a sum not to exceed
.....\$30,000,000.

(B) Effective July 1, 2020, the balance of the appropriation provided
in Item (A) of Section 1 of Act 488 of 2019, for grants for scholarships for
Historically Black Colleges and Universities and for personal services and
operating expenses as determined by the Department of Education - Division of
Higher Education for outreach programs to promote awareness of the



scholarships for Historically Black Colleges and Universities, in a sum not to exceed\$3,000,000.

SECTION 2. REAPPROPRIATION - ADE - DHE - NTI - DEVELOPMENT AND ENHANCEMENT FUND. There is hereby appropriated, to the Department of Education, to be payable from the Development and Enhancement Fund, for the Department of Education - Division of Higher Education - Northwest Technical Institute the following:

(A) Effective July 1, 2020, the balance of the appropriation provided in Item (A) of Section 1 of Act 232 of 2019, for Industrial Technology Center construction, parking, equipment, and furnishings costs, in a sum not to exceed\$43,736.

(B) Effective July 1, 2020, the balance of the appropriation provided in Item (B) of Section 1 of Act 232 of 2019, for transfers of or refund to expenditures for capital balances for construction, renovation, major maintenance, and purchase of equipment for various capital projects or facility improvements, in a sum not to exceed\$51,249.

(C) Effective July 1, 2020, the balance of the appropriation provided in Item (F) of Section 1 of Act 232 of 2019, for transfers of or refund to expenditures for capital balances for construction, renovation, major maintenance, and purchase of equipment for various capital projects or facility improvements, in a sum not to exceed\$341,222.

(D) Effective July 1, 2020, the balance of the appropriation provided in Item (A) of Section 1 of Act 402 of 2019, for roof replacement on the main campus building, in a sum not to exceed\$138,585.

(E) Effective July 1, 2020, the balance of the appropriation provided in Item (B) of Section 1 of Act 402 of 2019, for transfers of or refund to expenditures for capital balances for construction, renovation, major maintenance, and purchase of equipment for various capital projects or facility improvements, in a sum not to exceed\$1,000,000.

SECTION 3. REAPPROPRIATION - ADE - DHE - NTI - CASH. There is hereby appropriated, to the Department of Education, to be payable from the cash funds as defined by Arkansas Code 19-4-801, for the Department of Education - Division of Higher Education - Northwest Technical Institute the following:

(A) Effective July 1, 2020, the balance of the appropriation provided

1 in Item (A) of Section 2 of Act 232 of 2019, for Industrial Technology Center
 2 construction, parking, equipment, and furnishings costs, in a sum not to
 3 exceed\$55,000.

4 (B) Effective July 1, 2020, the balance of the appropriation provided
 5 in Item (B) of Section 2 of Act 232 of 2019, for Allied Health Facility
 6 construction, parking, equipment, and furnishings costs, in a sum not to
 7 exceed\$80,000.

8 (C) Effective July 1, 2020, the balance of the appropriation provided
 9 in Item (C) of Section 2 of Act 232 of 2019, for Allied Health Facility
 10 construction, parking, equipment, and furnishings costs, in a sum not to
 11 exceed\$80,000.

12 (D) Effective July 1, 2020, the balance of the appropriation provided
 13 in Item (D) of Section 2 of Act 232 of 2019, for Industrial Technology Center
 14 construction, parking, equipment, and furnishings costs, in a sum not to
 15 exceed\$55,000.

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 17 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
 18 obligations otherwise incurred in relation to the project or projects
 19 described herein in excess of the State Treasury funds actually available
 20 therefor as provided by law. Provided, however, that institutions and
 21 agencies listed herein shall have the authority to accept and use grants and
 22 donations including Federal funds, and to use its unobligated cash income or
 23 funds, or both available to it, for the purpose of supplementing the State
 24 Treasury funds for financing the entire costs of the project or projects
 25 enumerated herein. Provided further, that the appropriations and funds
 26 otherwise provided by the General Assembly for Maintenance and General
 27 Operations of the agency or institutions receiving appropriation herein shall
 28 not be used for any of the purposes as appropriated in this act.

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

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1 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
2 Assembly that any funds disbursed under the authority of the appropriations
3 contained in this act shall be in compliance with the stated reasons for
4 which this act was adopted, as evidenced by the Agency Requests, Executive
5 Recommendations and Legislative Recommendations contained in the budget
6 manuals prepared by the Department of Finance and Administration, letters, or
7 summarized oral testimony in the official minutes of the Arkansas Legislative
8 Council or Joint Budget Committee which relate to its passage and adoption.
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10 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
11 Assembly, that the Constitution of the State of Arkansas prohibits the
12 appropriation of funds for more than a one (1) year period; that the
13 effectiveness of this Act on July 1, 2020 is essential to the operation of
14 the agency for which the appropriations in this Act are provided, and that in
15 the event of an extension of the legislative session, the delay in the
16 effective date of this Act beyond July 1, 2020 could work irreparable harm
17 upon the proper administration and provision of essential governmental
18 programs. Therefore, an emergency is hereby declared to exist and this Act
19 being necessary for the immediate preservation of the public peace, health
20 and safety shall be in full force and effect from and after July 1, 2020.
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