

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020

A Bill

SENATE BILL 10

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 EDUCATION - DIVISION OF HIGHER EDUCATION; AND FOR
11 OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -
15 DIVISION OF HIGHER EDUCATION
16 REAPPROPRIATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REAPPROPRIATION - ADE - DHE - DEVELOPMENT AND ENHANCEMENT
23 FUND. There is hereby appropriated, to the Department of Education, to be
24 payable from the Development and Enhancement Fund, for the Department of
25 Education - Division of Higher Education the following:

26 (A) Effective July 1, 2020, the balance of the appropriation provided
27 in Item (A) of Section 1 of Act 350 of 2019, for various maintenance,
28 renovation, equipping, construction, acquisition, improvement, upgrade, and
29 repair of real property and facilities for all public four-year institutions,
30 two-year institutions, and technical colleges, in a sum not to exceed
31\$30,000,000.

32 (B) Effective July 1, 2020, the balance of the appropriation provided
33 in Item (A) of Section 1 of Act 488 of 2019, 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 Education - Division of
36 Higher Education for outreach programs to promote awareness of the



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

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

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

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

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

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

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

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

36 (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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 23 **APPROVED: 4/20/20**
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