

State of Arkansas  
90th General Assembly  
Fiscal Session, 2016

# A Bill

SENATE BILL 21

By: Joint Budget Committee

## For An Act To Be Entitled

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

## Subtitle

AN ACT FOR THE DEPARTMENT OF HIGHER  
EDUCATION REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION. There is hereby appropriated, to the Department of Higher Education, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Higher Education the following:

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

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

(C) Effective July 1, 2016, the balance of the appropriation provided in Item (A) Section 1 of Act 510 of 2015, for grants for scholarships for Historically Black Colleges and Universities and for personal services and operating expenses as determined by the Department of Higher Education for outreach programs to promote awareness of the scholarships for Historically Black Colleges and Universities, in a sum not to exceed.....\$10,000.

(D) Effective July 1, 2016, the balance of the appropriation provided in Item (A) Section 1 of Act 630 of 2015, for grants for scholarships for Historically Black Colleges and Universities and for personal

1 services and operating expenses as determined by the Department of Higher Education for outreach  
2 programs to promote awareness of the scholarships for Historically Black Colleges and Universities, in a  
3 sum not to exceed.....\$30,000.

4 (E) Effective July 1, 2016, the balance of the appropriation provided in Item (A) Section 18 of Act  
5 978 of 2015, for fund transfer to the Workforce Initiative Act of 2015 Fund, in a sum not to  
6 exceed.....\$2,000,000.

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

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

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

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30 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that  
31 the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year  
32 period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of the agency for  
33 which the appropriations in this Act are provided, and that in the event of an extension of the legislative  
34 session, the delay in the effective date of this Act beyond July 1, 2016 could work irreparable harm upon  
35 the proper administration and provision of essential governmental programs. Therefore, an emergency is  
36 hereby declared to exist and this Act being necessary for the immediate preservation of the public peace.

1 health and safety shall be in full force and effect from and after July 1, 2016.

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