

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1386

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 EDUCATION - DIVISION OF HIGHER EDUCATION - NORTHWEST
10 TECHNICAL INSTITUTE FOR CAPITAL IMPROVEMENT PROJECTS;
11 AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -
15 DIVISION OF HIGHER EDUCATION - NORTHWEST
16 TECHNICAL INSTITUTE CAPITAL IMPROVEMENT
17 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 - CAPITAL IMPROVEMENT PROJECTS. There is
24 hereby appropriated, to the Department of Education - Division of Higher
25 Education - Northwest Technical Institute, to be payable from the Development
26 and Enhancement Fund, the following:

27 (A) for transfers of or refund to expenditures for balances for
28 construction, renovation, major maintenance, and purchase of equipment for
29 various capital projects or facility improvements, in a sum not to exceed
30\$1,000,000.
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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
9 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
10 Revenue Stabilization Law and any other applicable fiscal control laws of
11 this State and regulations promulgated by the Department of Finance and
12 Administration, as authorized by law, shall be strictly complied with in
13 disbursement of any funds provided by this act unless specifically provided
14 otherwise by law.

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

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25 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
26 Assembly, that the Constitution of the State of Arkansas prohibits the
27 appropriation of funds for more than a one (1) year period; that the
28 effectiveness of this Act on July 1, 2023 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the legislative session, the delay in the
31 effective date of this Act beyond July 1, 2023 could work irreparable harm
32 upon the proper administration and provision of essential governmental
33 programs. Therefore, an emergency is hereby declared to exist and this Act
34 being necessary for the immediate preservation of the public peace, health
35 and safety shall be in full force and effect from and after July 1, 2023.

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