

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Hardin**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR CONSTRUCTION,
9 RENOVATION OR REPAIR, AND ACQUISITION OF EQUIPMENT TO
10 PERMIT THE POSTSECONDARY VOCATIONAL-TECHNICAL SCHOOLS TO
11 PROVIDE THE EDUCATIONAL AND TRAINING NEEDS OF BUSINESS AND
12 INDUSTRY WITHIN THEIR COMMUNITIES; AND TO AMEND ARK. CODE
13 19-5-1004 (b) (2) FOR THE DEPARTMENT OF EDUCATION -
14 VOCATIONAL AND TECHNICAL EDUCATION DIVISION FOR THE
15 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER
16 PURPOSES."

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

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20 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
21 Department of Education - Vocational and Technical Education Division, to be
22 payable from the Vocational-Technical Schools Fund Account, for construction,
23 renovation or repair, and acquisition of equipment by the various
24 postsecondary vocational-technical schools in order to provide for the
25 educational and training needs of business and industry within their
26 community, for the biennial period ending June 30, 1993, the following:

28 ITEM	FISCAL YEARS	
29 NO.	1991-92	1992-93
30 (01) CONSTRUCTION/RENOVATION/REPAIR/ 31 ACQUISITION OF EQUIPMENT	<u>\$ 1,000,000</u>	<u>\$ 1,000,000</u>

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33 SECTION 2. Arkansas Code 19-5-1004(b) (2) is hereby amended to read as
34 follows:

35 "(2) The portion not determined to be special revenues by §19-6-110 of

1 the year-end balances of the funds and fund accounts created in §§19-5-302,
2 19-5-304(1), (3), (4), (5), and (6), 19-5-306, 19-5-307, 19-6-404, and 19-6-411,
3 which fund balances are to be transferred on or before August 15 of the fiscal
4 year next following the fiscal year during which balances accrued. Provided,
5 however, that the unspent balance of those funds used by the State Department
6 of Higher Education under the provisions of §19-5-302 (7), appropriated and
7 funded for the operation of the State Scholarship Assistance Grants Program,
8 shall be exempt from the provisions of this subdivision, and shall remain
9 deposited in the Department of Higher Education Fund Account, and be carried
10 forward, provided that such funds are used solely for providing grants to
11 students as authorized in the State Scholarship Assistance Grants Program for
12 each year of the biennium. Provided further, a report of such balances which
13 are authorized to be carried forward herein, as well as a summary of
14 expenditures made from the State Scholarship Assistance Grants Program, shall
15 be filed annually with the Arkansas Legislative Council. In addition, any
16 funds which remain in the Vocational-Technical Schools Fund Account at the end
17 of a fiscal year shall be used exclusively to provide funding for
18 appropriations, as provided by law, for construction, renovation or repair,
19 and acquisition of equipment necessary to permit the vocational-technical
20 schools to provide the educational and training needs of business and industry
21 within their communities. The expenditure of funds by a vocational-technical
22 school as authorized by the provisions of this Section, shall be limited to
23 the previous fiscal years' fund balance, as determined by the State Board of
24 Vocational Education or its designee, of the corresponding vocational-
25 technical school.

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27 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
28 authorized by this Act shall be limited to the appropriation for such agency
29 and funds made available by law for the support of such appropriations; and
30 the restrictions of the State Purchasing Law, the General Accounting and
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
32 Procedures and Restrictions Act, or their successors, and other fiscal control
33 laws of this State, where applicable, and regulations promulgated by the
34 Department of Finance and Administration, as authorized by law, shall be
35 strictly complied with in disbursement of said funds.

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2 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
3 Assembly that any funds disbursed under the authority of the appropriations
4 contained in this Act shall be in compliance with the stated reasons for which
5 this Act was adopted, as evidenced by the Agency Requests, Executive
6 Recommendations and Legislative Recommendations contained in the budget
7 manuals prepared by the Department of Finance and Administration, letters, or
8 summarized oral testimony in the official minutes of the Arkansas Legislative
9 Council or Joint Budget Committee which relate to its passage and adoption.

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11 SECTION 5. CODE. All provisions of this Act of a general and permanent
12 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
13 Code Revision Commission shall incorporate the same in the Code.

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15 SECTION 6. SEVERABILITY. If any provision of this Act or the
16 application thereof to any person or circumstance is held invalid, such
17 invalidity shall not affect other provisions or applications of the Act which
18 can be given effect without the invalid provision or application, and to this
19 end the provisions of this Act are declared to be severable.

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21 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict
22 with this Act are hereby repealed.

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24 SECTION 8. HEALTH PREMIUMS. The Department of Education - Vocational
25 and Technical Education Division shall not, during the 1992-93 fiscal year,
26 spend more for health insurance per employee than the amount being contributed
27 to the State Employees Health Insurance Program.

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29 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
30 Seventy-Eighth General Assembly, that the Constitution of the State of
31 Arkansas prohibits the appropriation of funds for more than a two (2) year
32 period; that the effectiveness of this Act on July 1, 1991 is essential to the
33 operation of the agency for which the appropriations in this Act are provided,
34 and that in the event of an extension of the Regular Session, the delay in the
35 effective date of this Act beyond July 1, 1991 could work irreparable harm

1 upon the proper administration and provision of essential governmental
2 programs. Therefore, an emergency is hereby declared to exist and this Act
3 being necessary for the immediate preservation of the public peace, health and
4 safety shall be in full force and effect from and after July 1, 1991.

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