

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

8 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF EDUCATION  
10 AND ITS VARIOUS DIVISIONS; AND FOR OTHER PURPOSES."

11

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

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14 SECTION 1. REAPPROPRIATION - VOCATIONAL TECHNICAL POSTSECONDARY SCHOOLS  
15 - GENERAL IMPROVEMENT. There is hereby appropriated, to the Department of  
16 Education - Vocational and Technical Education Division, to be payable from  
17 the General Improvement Fund or its successor fund or fund accounts, for the  
18 Department of Education - Vocational and Technical Education Division, the  
19 following:

20 (A) Effective July 1, 1991, the balance of the appropriation provided  
21 in Item (A) of Section 8 of Act 187 of the First Extraordinary Session of  
22 1989, for major maintenance, renovation and repairs at the various  
23 Postsecondary Vocational Technical Schools, in a sum not to exceed . \$750,000.

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25 (B) Effective July 1, 1991, the balance of the appropriation provided  
26 in Item (B) of Section 8 of Act 187 of the First Extraordinary Session of  
27 1989, for purchase of instructional equipment for the various Postsecondary  
28 Vocational Technical Schools, in a sum not to exceed ..... \$1,000,000.

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30 (C) Effective July 1, 1991, the balance of the appropriation provided  
31 in Item (C) of Section 8 of Act 187 of the First Extraordinary Session of  
32 1989, for the purchase of buses for the various Postsecondary Vocational  
33 Technical Schools, in a sum not to exceed ..... \$150,000.

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35 (D) Effective July 1, 1991, the balance of the appropriation provided

1 in Item (D) of Section 8 of Act 187 of the First Extraordinary Session of  
2 1989, for the construction of child care training facilities at the various  
3 Postsecondary Vocational Technical Schools, in a sum not to exceed . \$750,000.

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5 (E) Effective July 1, 1991, the balance of the appropriation provided  
6 in Item (E) of Section 8 of Act 187 of the First Extraordinary Session of  
7 1989, for new construction at the various Postsecondary Vocational Technical  
8 Schools, in a sum not to exceed ..... \$1,000,000.

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10 SECTION 2. REAPPROPRIATION - SCHOOL FOR THE BLIND - GENERAL IMPROVEMENT.

11 There is hereby appropriated, to the Department of Education - School for the  
12 Blind, to be payable from the General Improvement Fund or its successor fund  
13 or fund accounts, for the Department of Education - School for the Blind, the  
14 following:

15 (A) Effective July 1, 1991, the balance of the appropriation provided  
16 in Item (B) of Section 5 of Act 187 of the First Extraordinary Session of  
17 1989, for major maintenance, renovation and repair of various buildings on  
18 campus, in a sum not to exceed ..... \$175,000.

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20 SECTION 3. REAPPROPRIATION - SCHOOL FOR THE DEAF - GENERAL IMPROVEMENT.

21 There is hereby appropriated, to the Department of Education - School for the  
22 Deaf, to be payable from the General Improvement Fund or its successor fund or  
23 fund accounts, for the Department of Education - School for the Deaf, the  
24 following:

25 (A) Effective July 1, 1991, the balance of the appropriation provided  
26 in Item (A) of Section 6 of Act 187 of the First Extraordinary Session of  
27 1989, for major maintenance, renovation, repairs and associated costs for  
28 asbestos removal in the various buildings on campus, in a sum not to exceed  
29 \$350,000.

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31 (B) Effective July 1, 1991, the balance of the appropriation provided  
32 in Item (B) of Section 6 of Act 187 of the First Extraordinary Session of  
33 1989, for major maintenance, renovation, repairs, equipping and associated  
34 costs for school renovation, in a sum not to exceed ..... \$92,441.

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1 SECTION 4. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - GENERAL  
2 IMPROVEMENT. There is hereby appropriated, to the Department of Education -  
3 Educational Television Division, to be payable from the General Improvement  
4 Fund or its successor fund or fund accounts, for the Department of Education -  
5 Educational Television Division, the following:

6 (A) Effective July 1, 1991, the balance of the appropriation provided  
7 in Item (B) of Section 1 of Act 187 of the First Extraordinary Session of  
8 1989, for construction and to purchase and install television and satellite  
9 equipment for the Star Schools Project, in a sum not to exceed .....\$580,000.

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11 (B) Effective July 1, 1991, the balance of the appropriation provided  
12 in Item (D) of Section 1 of Act 187 of the First Extraordinary Session of  
13 1989, for maintenance of network equipment, in a sum not to exceed . \$125,000.

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15 SECTION 5. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - FEDERAL.  
16 There is hereby appropriated, to the Department of Education - Educational  
17 Television Division, to be payable from the federal funds as designated by the  
18 Chief Fiscal Officer of the State, for the Department of Education -  
19 Educational Television Division, the following:

20 (A) Effective July 1, 1991, the balance of the appropriation provided  
21 in Item (A) of Section 2 of Act 187 of the First Extraordinary Session of  
22 1989, for construction, acquisition of land, repairs, renovation, major  
23 maintenance and associated costs of relocating the KETS - Channel 2  
24 transmitter, in a sum not to exceed .....\$1,447,500.

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26 (B) Effective July 1, 1991, the balance of the appropriation provided  
27 in Item (B) of Section 2 of Act 187 of the First Extraordinary Session of  
28 1989, for construction and to purchase and install television and satellite  
29 equipment for the Star Schools Project, in a sum not to exceed .....\$650,000.

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31 SECTION 6. REAPPROPRIATION - ARKANSAS STATE LIBRARY - GENERAL  
32 IMPROVEMENT. There is hereby appropriated, to the Department of Education -  
33 Arkansas State Library, to be payable from the General Improvement Fund or its  
34 successor fund or fund accounts, for the Department of Education - Arkansas  
35 State Library, the following:

1 (A) Effective July 1, 1991, the balance of the appropriation provided  
2 in Item (A) of Section 7 of Act 187 of the First Extraordinary Session of  
3 1989, for the purchase of library books and materials, in a sum not to exceed  
4 \$165,000.

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6 SECTION 7. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
7 obligations otherwise incurred in relation to the project or projects  
8 described herein in excess of the State Treasury funds actually available  
9 therefor as provided by law. Provided, however, that institutions and  
10 agencies listed herein shall have the authority to accept and use grants and  
11 donations including Federal funds, and to use its unobligated cash income or  
12 funds, or both available to it, for the purpose of supplementing the State  
13 Treasury funds for financing the entire costs of the project or projects  
14 enumerated herein. Provided further, that the appropriations and funds  
15 otherwise provided by the General Assembly for Maintenance and General  
16 Operations of the agency or institutions receiving appropriation herein shall  
17 not be used for any of the purposes as appropriated in this Act.

18 (B) Any restrictions contained in the Acts enumerated in the  
19 reappropriation sections of this Act, the restrictions of any applicable  
20 provisions of the State Purchasing Law, the General Accounting and Budgetary  
21 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal  
22 control laws of this State and regulations promulgated by the Department of  
23 Finance and Administration, as authorized by law, shall be strictly complied  
24 with in disbursement of any funds provided by this Act unless specifically  
25 provided otherwise by law.

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

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1           SECTION 9. CODE. All provisions of this Act of a general and permanent  
2 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
3 Code Revision Commission shall incorporate the same in the Code.

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5           SECTION 10. SEVERABILITY. If any provision of this Act or the  
6 application thereof to any person or circumstance is held invalid, such  
7 invalidity shall not affect other provisions or applications of the Act which  
8 can be given effect without the invalid provision or application, and to this  
9 end the provisions of this Act are declared to be severable.

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11           SECTION 11. GENERAL REPEALER. All laws and parts of laws in conflict  
12 with this Act are hereby repealed.

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14           SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the  
15 Seventy-Eighth General Assembly, that the Constitution of the State of  
16 Arkansas prohibits the appropriation of funds for more than a two (2) year  
17 period; that previous General Assemblies have provided appropriations for the  
18 projects provided enumerated in this act; that certain appropriations will  
19 expire before the adjournment of the General Assembly; and that if such  
20 appropriations expire, the projects and programs authorized herein will cease  
21 thereby depriving the citizens of the State of the benefits to be derived from  
22 such projects. Therefore, an emergency is hereby declared to exist and this  
23 Act being necessary for the immediate preservation of the public peace, health  
24 and safety shall be in full force and effect from and after July 1, 1991.

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