

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

A BILL ACT 1073 OF 1991
SENATE BILL 496

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
36 in Item (D) of Section 8 of Act 187 of the First Extraordinary Session of

1 1989, for the construction of child care training facilities at the various
2 Postsecondary Vocational Technical Schools, in a sum not to exceed . \$750,000.

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

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

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

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

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

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

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

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

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35 SECTION 4. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - GENERAL

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

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

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

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14 SECTION 5. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - FEDERAL.

15 There is hereby appropriated, to the Department of Education - Educational
16 Television Division, to be payable from the federal funds as designated by the
17 Chief Fiscal Officer of the State, for the Department of Education -
18 Educational Television Division, the following:

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

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

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30 SECTION 6. REAPPROPRIATION - ARKANSAS STATE LIBRARY - GENERAL

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

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

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

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

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

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

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35 SECTION 9. CODE. All provisions of this Act of a general and permanent

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
2 Code Revision Commission shall incorporate the same in the Code.

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

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

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

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25 APPROVED: 4-9-91

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