

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

ACT 336 OF 1993
SENATE BILL 518

For An Act To Be Entitled

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

Subtitle

**"AN ACT FOR THE INSTITUTIONS OF HIGHER EDUCATION
REAPPROPRIATION."**

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

**SECTION 1. REAPPROPRIATION - HENDERSON STATE UNIVERSITY -
GENERAL IMPROVEMENT.** There is hereby appropriated, to the Henderson State
University, to be payable from the General Improvement Fund or its successor fund or fund
accounts, for the Henderson State University, the following:

(A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of
Section 1 of Act 315 of 1991, for the cost of start-up equipment and facilities for a television
station, in a sum not to exceed
..... **\$300,000.**

**SECTION 2. REAPPROPRIATION - SOUTHERN ARKANSAS UNIVERSITY -
CASH FUNDS.** There is hereby appropriated, to the Southern Arkansas University, to be
payable from the cash funds as defined by Arkansas Code 19-4-801 of Southern Arkansas
University, the following:

(A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of
Section 2 of Act 1074 of 1991, for the renovation of Caraway Hall, in a sum not to exceed **\$250,000.**

**SECTION 3. REAPPROPRIATION - SOUTHERN ARKANSAS UNIVERSITY -
SOUTHWEST TECHNICAL INSTITUTE DIVISION - GENERAL IMPROVEMENT.**
There is hereby appropriated, to the Southern Arkansas University - Southwest Technical

1 Institute Division, to be payable from the General Improvement Fund or its successor fund or
2 fund accounts, for the Southern Arkansas University - Southwest Technical Institute Division,
3 the following:

4 (A) Effective July 1, 1993, the balance of the appropriation provided in Item (D) of
5 Section 4 of Act 1074 of 1991, for constructing, furnishing and equipping a Technical
6 Engineering Building, in a sum not to exceed
7\$1,265,689.

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9 SECTION 4. REAPPROPRIATION - ARKANSAS STATE UNIVERSITY -

10 BEEBE - GENERAL IMPROVEMENT. There is hereby appropriated, to the Arkansas
11 State University - Beebe, to be payable from the General Improvement Fund or its successor
12 fund or fund accounts, for the Arkansas State University - Beebe, the following:

13 (A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of
14 Section I of Act 525 of 1991, for the purchase of optics, communications, manufacturing
15 hardware and software and networking equipment for the Advanced Technology Center at the
16 Arkansas State Technical Institute, in a sum not to exceed \$300,000.

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18 SECTION 5. REAPPROPRIATION - ARKANSAS STATE UNIVERSITY -

19 BEEBE/NEWPORT - WORK FORCE 2000 DEVELOPMENT FUND. There is hereby
20 appropriated, to the Arkansas State University - Beebe, to be payable from the Arkansas State
21 University - Beebe Fund, for the Arkansas State University - Beebe/Newport, the following:

22 (A) Effective July 1, 1993, the balance of the appropriation provided in Item (I) of
23 Section I of Act 1246 of 1991, for construction, reconstruction, renovations, purchase of
24 equipment and other capital outlay, in a sum not to exceed \$181,434.

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26 SECTION 6. REAPPROPRIATION - ARKANSAS TECH UNIVERSITY -

27 GENERAL IMPROVEMENT. There is hereby appropriated, to the Arkansas Tech
28 University, to be payable from the General Improvement Fund or its successor fund or fund
29 accounts, for the Arkansas Tech University, the following:

30 (A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of
31 Section I of Act 443 of 1991, for planning, constructing, equipping and other associated costs
32 of a Student Center/Administration Building, in a sum not to exceed \$600,000.

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34 SECTION 7. REAPPROPRIATION - UNIVERSITY OF ARKANSAS -

35 FAYETTEVILLE - GENERAL IMPROVEMENT. There is hereby appropriated, to the

1 **University of Arkansas, to be payable from the General Improvement Fund or its successor**
2 **fund or fund accounts, for the University of Arkansas, the following:**

3 **(A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of**
4 **Section I of Act 494 of 1991, for constructing and equipping a Cooperative Extension Service**
5 **Office Building in White County, Arkansas, contingent upon the donation of land on which**
6 **such building is to be located, in a sum not to exceed \$285,000.**

7 **(B) Effective July 1, 1993, the balance of the appropriation provided in Item (F) of**
8 **Section 8 of Act 1074 of 1991, for constructing, equipping and associated costs of a Chemistry**
9 **or Physics Building or both, in a sum not to exceed\$1,291,727.**

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11 **SECTION 8. REAPPROPRIATION - UNIVERSITY OF ARKANSAS - MEDICAL**
12 **SCIENCES CAMPUS - GENERAL IMPROVEMENT. There is hereby appropriated, to the**
13 **University of Arkansas for Medical Sciences, to be payable from the General Improvement**
14 **Fund or its successor fund or fund accounts, for the University of Arkansas for Medical**
15 **Sciences, the following:**

16 **(A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of**
17 **Section I of Act 1184 of 1991, for improvements and expenses of the Family Practice**
18 **Residency Program at the Area Health Education Center in Texarkana, Arkansas, in a sum**
19 **not to exceed \$600,000.**

20 **(B) Effective July 1, 1993, the balance of the appropriation provided in Item (D) of**
21 **Section 10 of Act 1074 of 1991, for constructing, equipping, furnishing, renovating and other**
22 **associated costs for the Emergency Room renovation and to meet hospital fire/life safety codes,**
23 **in a sum not to exceed \$173,313.**

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25 **SECTION 9. REAPPROPRIATION - UNIVERSITY OF ARKANSAS - MEDICAL**
26 **SCIENCES CAMPUS - UAMS CONSTRUCTION FUND ACCOUNT. There is hereby**
27 **appropriated, to the University of Arkansas for Medical Sciences, to be payable from the**
28 **UAMS Construction Fund Account of the General Improvement Fund, for the University of**
29 **Arkansas for Medical Sciences, the following:**

30 **(A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of**
31 **Section II of Act 1074 of 1991, for constructing, equipping, renovating, repairing, landscaping**
32 **and other associated costs of a Research Facility, in a sum not to exceed\$7,173,404.**

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34 **SECTION 10. REAPPROPRIATION - UNIVERSITY OF ARKANSAS -**
35 **MONTICELLO - GENERAL IMPROVEMENT. There is hereby appropriated, to the**

1 **University of Arkansas at Monticello, to be payable from the General Improvement Fund or its**
2 **successor fund or fund accounts, for the University of Arkansas at Monticello, the following:**

3 **(A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of**
4 **Section I of Act 1138 of 1991, for exclusive use by the Department of Forest Resources for**
5 **personal services, equipping and operating the Center for Integrated Forest Management**
6 **Strategies and to provide matching funds for the Sturgis Chair in Forest Physiology, in a sum**
7 **not to exceed**
8 **.....\$350,000.**

9
10 **SECTION II. REAPPROPRIATION - EAST ARKANSAS COMMUNITY**

11 **COLLEGE - WORK FORCE 2000 DEVELOPMENT FUND. There is hereby**
12 **appropriated, to the East Arkansas Community College, to be payable from the East Arkansas**
13 **Community College Fund, for the East Arkansas Community College, the following:**

14 **(A) Effective July 1, 1993, the balance of the appropriation provided in Item (I) of**
15 **Section I of Act 1246 of 1991, for construction, reconstruction, renovations, purchase of**
16 **equipment and other capital outlay, in a sum not to exceed \$167,721.**

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18 **SECTION 12. REAPPROPRIATION - GARLAND COUNTY COMMUNITY**

19 **COLLEGE - WORK FORCE 2000 DEVELOPMENT FUND. There is hereby**
20 **appropriated, to the Garland County Community College, to be payable from the Garland**
21 **County Community College Fund, for the Garland County Community College, the following:**

22 **(A) Effective July 1, 1993, the balance of the appropriation provided in Item (I) of**
23 **Section I of Act 1246 of 1991, for construction, reconstruction, renovations, purchase of**
24 **equipment and other capital outlay, in a sum not to exceed \$198,078.**

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26 **SECTION 13. REAPPROPRIATION - NORTH ARKANSAS**

27 **COMMUNITY/TECHNICAL COLLEGE - GENERAL IMPROVEMENT. There is hereby**
28 **appropriated, to the North Arkansas Community/Technical College, or its successor, to be**
29 **payable from the General Improvement Fund or its successor fund or fund accounts, for the**
30 **North Arkansas Community/Technical College, the following:**

31 **(A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of**
32 **Section 18 of Act 1074 of 1991, for the purchase of instructional, clinical and agricultural**
33 **research equipment, in a sum not to exceed\$11,237.**

34 **(B) Effective July 1, 1993, the balance of the appropriation provided in Item (B) of**
35 **Section 18 of Act 1074 of 1991, for the purchase of additional library volumes, in a sum not to**

1 exceed \$8,808.

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3 **SECTION 14. REAPPROPRIATION - WESTARK COMMUNITY COLLEGE -**
4 **UNIVERSITY CENTER.** There is hereby appropriated, to the Westark Community College,
5 to be payable from the Westark Community College Fund, for the Westark Community
6 College, the following:

7 (A) Effective July 1, 1993, the balance of the appropriation provided in Item (01) of
8 Section 2 of Act 1077 of 1991, for the operation and expenses of the University Center and the
9 transfer of funds and appropriation to various Arkansas public universities which are
10 approved by the State Board of Higher Education to offer courses and programs under the
11 auspices of the Center, as deemed appropriate by the Board of Trustees of Westark
12 Community College, with the advice of the Director of the Department of Higher Education, in
13 a sum not to exceed \$360,767.

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15 **SECTION 15. REAPPROPRIATION - COSSATOT TECHNICAL COLLEGE -**
16 **WORK FORCE 2000 DEVELOPMENT FUND.** There is hereby appropriated, to the
17 Cossatot Technical College, to be payable from the Cossatot Technical College Fund, for the
18 Cossatot Technical College, the following:

19 (A) Effective July 1, 1993, the balance of the appropriation provided in Item (1) of
20 Section I of Act 1246 of 1991, for construction, reconstruction, renovations, purchase of
21 equipment and other capital outlay, in a sum not to exceed \$227,000.

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23 **SECTION 16. REAPPROPRIATION - GATEWAY TECHNICAL COLLEGE -**
24 **WORK FORCE 2000 DEVELOPMENT FUND.** There is hereby appropriated, to the
25 Gateway Technical College, to be payable from the Gateway Technical College Fund, for the
26 Gateway Technical College, the following:

27 (A) Effective July 1, 1993, the balance of the appropriation provided in Item (1) of
28 Section I of Act 1246 of 1991, for construction, reconstruction, renovations, purchase of
29 equipment and other capital outlay, in a sum not to exceed \$110,000.

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31 **SECTION 17. REAPPROPRIATION - MID-SOUTH TECHNICAL COLLEGE -**
32 **WORK FORCE 2000 DEVELOPMENT FUND.** There is hereby appropriated, to the Mid-
33 South Technical College, or its successor, to be payable from the Mid-South Technical College
34 Fund, for the Mid-South Technical College, the following:

35 (A) Effective July 1, 1993, the balance of the appropriation provided in Item (1) of

1 Section I of Act 1246 of 1991, for construction, reconstruction, renovations, purchase of
2 equipment and other capital outlay, in a sum not to exceed \$189,550.

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4 SECTION 18. REAPPROPRIATION - MOUNTAIN HOME TECHNICAL
5 COLLEGE - WORK FORCE 2000 DEVELOPMENT FUND. There is hereby
6 appropriated, to the Mountain Home Technical College, to be payable from the Mountain
7 Home Technical College Fund, for the Mountain Home Technical College, the following:

8 (A) Effective July 1, 1993, the balance of the appropriation provided in Item (I) of
9 Section I of Act 1246 of 1991, for construction, reconstruction, renovations, purchase of
10 equipment and other capital outlay, in a sum not to exceed \$300,000.

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12 SECTION 19. REAPPROPRIATION - OZARKA TECHNICAL COLLEGE -
13 WORK FORCE 2000 DEVELOPMENT FUND. There is hereby appropriated, to the
14 Ozarka Technical College, to be payable from the Ozarka Technical College Fund, for the
15 Ozarka Technical College, the following:

16 (A) Effective July 1, 1993, the balance of the appropriation provided in Item (I) of
17 Section I of Act 1246 of 1991, for construction, reconstruction, renovations, purchase of
18 equipment and other capital outlay, in a sum not to exceed \$150,000.

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20 SECTION 20. REAPPROPRIATION - COLLEGE SAVINGS BOND PROGRAM.
21 There is hereby appropriated, to the Department of Higher Education, to be payable from the
22 Higher Education Projects Development Fund, the following:

23 (A) Effective March 13, 1993, the balance of the appropriation provided in Section 1 of
24 Act 534 of 1991 and the balance of the allocations provided in Section 2 of Act 534 of 1991, for
25 the development of projects at State institutions of higher education and the payment of project
26 costs and expenses of the issuance of the bonds of the Arkansas College Savings General
27 Obligation Bonds Program, in a sum not to exceed \$3,018,617.

28 (B) Effective July 1, 1993, the balance of the appropriation provided in Section 1 of
29 Act 523 of 1991 and the balance of the allocations provided in Section 2 of Act 523 of 1991,
30 for the development of projects at State institutions of higher education and the payment of
31 project costs and expenses of the issuance of the bonds of the Arkansas College Savings
32 General Obligation Bonds Program, in a sum not to exceed \$83,094,889.

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34 SECTION 21. DISBURSEMENT CONTROLS. (A) No contract may be awarded
35 nor obligations otherwise incurred in relation to the project or projects described herein in

1 **excess of the State Treasury funds actually available therefor as provided by law. Provided,**
 2 **however, that institutions and agencies listed herein shall have the authority to accept and use**
 3 **grants and donations including Federal funds, and to use its unobligated cash income or funds,**
 4 **or both available to it, for the purpose of supplementing the State Treasury funds for financing**
 5 **the entire costs of the project or projects enumerated herein. Provided further, that the**
 6 **appropriations and funds otherwise provided by the General Assembly for Maintenance and**
 7 **General Operations of the agency or institutions receiving appropriation herein shall not be**
 8 **used for any of the purposes as appropriated in this Act.**

9 **(B) Any restrictions contained in the Acts enumerated in the reappropriation sections**
 10 **of this Act, the restrictions of any applicable provisions of the State Purchasing Law, the**
 11 **General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law and any**
 12 **other applicable fiscal control laws of this State and regulations promulgated by the**
 13 **Department of Finance and Administration, as authorized by law, shall be strictly complied**
 14 **with in disbursement of any funds provided by this Act unless specifically provided otherwise**
 15 **by law.**

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

24

25 **SECTION 23. CODE. All provisions of this Act of a general and permanent nature**
 26 **are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision**
 27 **Commission shall incorporate the same in the Code.**

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29 **SECTION 24. SEVERABILITY. If any provision of this Act or the application**
 30 **thereof to any person or circumstance is held invalid, such invalidity shall not affect other**
 31 **provisions or applications of the Act which can be given effect without the invalid provision or**
 32 **application, and to this end the provisions of this Act are declared to be severable.**

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34 **SECTION 25. GENERAL REPEALER. All laws and parts of laws in conflict with**
 35 **this Act are hereby repealed.**

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SECTION 26. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects provided enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will cease thereby depriving the citizens of the State of the benefits to be derived from such projects. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval.

APPROVED: 03/03/93