

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 560 of 1999
SENATE BILL 579

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
10 EDUCATION - GENERAL EDUCATION DIVISION FOR
11 CONSTRUCTION, RENOVATION, MAJOR MAINTENANCE, EQUIPMENT
12 AND ANNUAL LOAN REPAYMENTS; AND FOR OTHER PURPOSES."
13

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION
15 - GENERAL EDUCATION DIVISION CAPITAL
16 IMPROVEMENT APPROPRIATION.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby
23 appropriated, to the Department of Education - General Education Division, to
24 be payable from the General Improvement Fund or its successor fund or fund
25 accounts, the following:

26 (A) For costs associated with major maintenance, renovation, repair,
27 replacement and the purchase of equipment related to the HVAC system and the
28 installation of a security system for the Luther Hardin Building, the sum of
29\$864,000.
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31 (B) For annual loan repayments to the Teacher Retirement System for the
32 Arkansas Public School Computer Network, the sum of\$5,800,589.
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34 SECTION 2. APPROPRIATIONS - TRUST. There is hereby appropriated, to the
35 Department of Education - General Education Division, to be payable from the
36 Educational Building Revenue Bond Fund, the following:

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1 (A) For costs associated with maintenance, repairs and purchase of
2 materials for the interior/exterior of the Arch Ford Education Buildings A, B,
3 C and D, the sum of\$330,000.

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5 (B) For purchases, repairs, maintenance and maintenance contracts for the
6 heating and cooling units for the Arch Ford Education Buildings A, B, C and D,
7 the sum of\$260,000.

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9 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 DISBURSEMENT OF FUNDS. Expenditure of the funds authorized herein shall be
12 made only upon documentation to the Chief Fiscal Officer of the State, in such
13 form as deemed necessary, that all criteria or pre-conditions established in
14 the appropriation act have been met or in the case of state agencies, that a
15 Method of Finance has been filed with the Office of Accounting in the
16 Department of Finance and Administration. Any matching funds as may be
17 provided in law shall be certified to the Chief Fiscal Officer of the State
18 prior to the commencement of the project. Further, any recipient of the funds
19 appropriated herein may be required to file a compliance audit indicating that
20 the use of the funds was in compliance with the intent of the General
21 Assembly.

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23 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
24 obligations otherwise incurred in relation to the project or projects
25 described herein in excess of the State Treasury funds actually available
26 therefor as provided by law. Provided, however, that institutions and
27 agencies listed herein shall have the authority to accept and use grants and
28 donations including Federal funds, and to use its unobligated cash income or
29 funds, or both available to it, for the purpose of supplementing the State
30 Treasury funds for financing the entire costs of the project or projects
31 enumerated herein. Provided further, that the appropriations and funds
32 otherwise provided by the General Assembly for Maintenance and General
33 Operations of the agency or institutions receiving appropriation herein shall
34 not be used for any of the purposes as appropriated in this act.

35 (B) The restrictions of any applicable provisions of the State Purchasing
36 Law, the General Accounting and Budgetary Procedures Law, the Revenue

1 Stabilization Law and any other applicable fiscal control laws of this State
2 and regulations promulgated by the Department of Finance and Administration,
3 as authorized by law, shall be strictly complied with in disbursement of any
4 funds provided by this act unless specifically provided otherwise by law.

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

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15 SECTION 6. CODE. All provisions of this Act of a general and permanent
16 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
17 Code Revision Commission shall incorporate the same in the Code.

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19 SECTION 7. SEVERABILITY. If any provision of this act or the application
20 thereof to any person or circumstance is held invalid, such invalidity shall
21 not affect other provisions or applications of the act which can be given
22 effect without the invalid provision or application, and to this end the
23 provisions of this act are declared to be severable.

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25 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict with
26 this act are hereby repealed.

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28 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
29 Eighty-second General Assembly, that the Constitution of the State of Arkansas
30 prohibits the appropriation of funds for more than a two (2) year period; that
31 the effectiveness of this Act on July 1, 1999 is essential to the operation of
32 the agency for which the appropriations in this Act are provided, and that in
33 the event of an extension of the Regular Session, the delay in the effective
34 date of this Act beyond July 1, 1999 could work irreparable harm upon the
35 proper administration and provision of essential governmental programs.
36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and
2 safety shall be in full force and effect from and after July 1, 1999.

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5 APPROVED: 3/12/1999
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