

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1425 of the Regular Session

As Engrossed: S3/25/09 S4/6/09

A Bill

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

SENATE BILL 390

4  
5 By: Joint Budget Committee  
6  
7

8 **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
10 OF EDUCATION - ARKANSAS SCHOOL FOR THE DEAF FOR  
11 MAINTENANCE, RENOVATION, EQUIPPING, CONSTRUCTION,  
12 ACQUISITION, IMPROVEMENT, UPGRADE AND REPAIR  
13 PROJECTS; AND FOR OTHER PURPOSES.  
14

15  
16 **Subtitle**

17 AN ACT FOR THE DEPARTMENT OF EDUCATION  
18 - ARKANSAS SCHOOL FOR THE DEAF GENERAL  
19 IMPROVEMENT APPROPRIATION.  
20

21  
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT. There is hereby  
25 appropriated, to the Department of Education - Arkansas School for the Deaf,  
26 to be payable from the General Improvement Fund or its successor fund or fund  
27 accounts, the following:

28 (A) For maintenance, renovation, equipping, construction, acquisition,  
29 improvement, upgrade and repair projects for all state-owned real property  
30 and facilities, the sum of .....\$500,000.  
31

32 SECTION 2. APPROPRIATION - GENERAL IMPROVEMENT. There is hereby  
33 appropriated, to the Department of Education - Arkansas School for the Deaf,  
34 to be payable from the General Improvement Fund or its successor fund or fund  
35 accounts, the following:



1       (A) For maintenance, renovation, equipping, construction, acquisition,  
 2       improvement, upgrade and repair projects for all state-owned real property  
 3       and facilities, which means the physical plant and related areas owned or  
 4       operated by the Arkansas School for the Deaf including without limitation  
 5       academic and administrative buildings, dormitories, grounds, lifts and  
 6       elevators, walkways, utilities infrastructure, and other specialized  
 7       equipment for students with disabilities related to the facilities listed in  
 8       this section, the sum of .....\$5,000,000.

9  
 10       SECTION 3. APPROPRIATION - FEDERAL FUNDS. There is hereby appropriated,  
 11       to the Department of Education - Arkansas School for the Deaf, to be payable  
 12       from the federal funds as designated by the Chief Fiscal Officer of the  
 13       State, the following:

14       (A) For maintenance, renovation, equipping, construction, acquisition,  
 15       improvement, upgrade and repair projects for all state-owned real property  
 16       and facilities, which means the physical plant and related areas owned or  
 17       operated by the Arkansas School for the Deaf including without limitation  
 18       academic and administrative buildings, dormitories, grounds, lifts and  
 19       elevators, walkways, utilities infrastructure, and other specialized  
 20       equipment for students with disabilities related to the facilities listed in  
 21       this section, the sum of .....\$5,000,000.

22  
 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.

5  
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  
13 Joint Budget Committee which relate to its passage and adoption.

14  
15 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
16 Assembly, that the Constitution of the State of Arkansas prohibits the  
17 appropriation of funds for more than a one (1) year period; that the  
18 effectiveness of this Act on July 1, 2009 is essential to the operation of  
19 the agency for which the appropriations in this Act are provided, and that in  
20 the event of an extension of the Regular Session, the delay in the effective  
21 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
22 proper administration and provision of essential governmental programs.  
23 Therefore, an emergency is hereby declared to exist and this Act being  
24 necessary for the immediate preservation of the public peace, health and  
25 safety shall be in full force and effect from and after July 1, 2009.

26  
27 /s/ Joint Budget Committee

28  
29 **APPROVED: 4/9/2009**