

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 450 OF 1995
HOUSE BILL 1582

For An Act To Be Entitled

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

Subtitle

"AN ACT FOR THE DEPARTMENT OF EDUCATION
REAPPROPRIATION."

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

SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby appropriated, to the Department of Education - Vocational and Technical Education Division, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) Effective July 1, 1995, the balance of the appropriation provided in Item (A) of Section 6 of Act 893 of 1993, for the purchase of instructional equipment for the various postsecondary vocational technical schools, technical institutes and comprehensive lifelong learning centers, in a sum not to exceed \$124,210.

(B) Effective July 1, 1995, the balance of the appropriation provided in Item (B) of Section 6 of Act 893 of 1993, for major maintenance, renovation and repairs at the various postsecondary vocational technical schools, technical institutes and comprehensive lifelong learning centers, in a sum not to exceed \$606,546.

(C) Effective July 1, 1995, the balance of the appropriation provided in Item (C) of Section 6 of Act 893 of 1993, for new construction at the various postsecondary vocational technical schools, technical institutes and

1 comprehensive lifelong learning centers, in a sum not to exceed..... \$529,248.
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3 SECTION 2. REAPPROPRIATION - TRUST. There is hereby appropriated, to
4 the Department of Education - Vocational and Technical Education Division, to
5 be payable from the Building Trades Revolving Fund, the following:

6 (A) Effective July 1, 1995, the balance of the appropriation provided
7 in Item (A) of Section 6 of Act 340 of 1993, for the purchase of lots and
8 construction of single dwelling units and for other purposes, in a sum not to
9 exceed \$211,519.

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11 SECTION 3. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to
12 the Department of Education - Educational Television Division, to be payable
13 from the federal funds as designated by the Chief Fiscal Officer of the State,
14 the following:

15 (A) Effective July 1, 1995, the balance of the appropriation provided
16 in Item (B) of Section 4 of Act 340 of 1993, for KETG Channel 9 and KAFT
17 Channel 13 transmitter replacement, in a sum not to exceed \$86,035.

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19 (B) Effective July 1, 1995, the balance of the appropriation provided
20 in Item (A) of Section 4 of Act 893 of 1993, for the purchase of equipment and
21 a vehicle necessary for a distance learning satellite uplink system and
22 necessary building modifications, in a sum not to exceed \$750,000.

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24 (C) Effective July 1, 1995, the balance of the appropriation provided
25 in Item (B) of Section 4 of Act 893 of 1993, for general network maintenance,
26 in a sum not to exceed \$347,761.

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28 SECTION 4. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
29 appropriated, to the Department of Education - Educational Television
30 Division, to be payable from the General Improvement Fund or its successor
31 fund or fund accounts, the following:

32 (A) Effective July 1, 1995, the balance of the appropriation provided
33 in Item (A) of Section 1 of Act 893 of 1993, for the purchase of equipment and
34 a vehicle necessary for a distance learning satellite uplink system and
35 necessary building modifications, in a sum not to exceed \$487,137.

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(B) Effective July 1, 1995, the balance of the appropriation provided in Item (B) of Section 1 of Act 893 of 1993, for general network maintenance, in a sum not to exceed \$400,000.

(C) Effective July 1, 1995, the balance of the appropriation provided in Item (A) of Section 1 of Act 685 of 1993, for construction of the Arkansas Educational Television Network/University of Central Arkansas Joint Communications and Broadcast facility, in a sum not to exceed 7,130,000.

SECTION 5. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby appropriated, to the Department of Education - Arkansas State Library, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) Effective July 1, 1995, the balance of the appropriation provided in Item (A) of Section 3 of Act 893 of 1993, for the purchase of equipment and software necessary for an automated library system, in a sum not to exceed \$87,000.

(B) Effective July 1, 1995, the balance of the appropriation provided in Item (B) of Section 3 of Act 893 of 1993, for the purchase of library materials in arrearage, in a sum not to exceed \$200,000.

(C) Effective July 1, 1995, the balance of the appropriation provided in Item (C) of Section 3 of Act 893 of 1993, for the purchase of library shelving and storage units, in a sum not to exceed \$100,000.

SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and agencies listed herein shall have the authority to accept and use grants and donations including Federal funds, and to use its unobligated cash income or funds, or both available to it, for the purpose of supplementing the State Treasury funds for financing the entire costs of the project or projects

1 enumerated herein. Provided further, that the appropriations and funds
2 otherwise provided by the General Assembly for Maintenance and General
3 Operations of the agency or institutions receiving appropriation herein shall
4 not be used for any of the purposes as appropriated in this Act.

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

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14 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
15 Assembly that any funds disbursed under the authority of the appropriations
16 contained in this Act shall be in compliance with the stated reasons for which
17 this Act was adopted, as evidenced by the Agency Requests, Executive
18 Recommendations and Legislative Recommendations contained in the budget
19 manuals prepared by the Department of Finance and Administration, letters, or
20 summarized oral testimony in the official minutes of the Arkansas Legislative
21 Council or Joint Budget Committee which relate to its passage and adoption.

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23 SECTION 8. CODE. All provisions of this Act of a general and permanent
24 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
25 Code Revision Commission shall incorporate the same in the Code.

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

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

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1 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
2 Eightieth General Assembly, that the Constitution of the State of Arkansas
3 prohibits the appropriation of funds for more than a two (2) year period; that
4 previous General Assemblies have provided appropriations for the projects
5 provided or enumerated in this act; that certain appropriations will expire
6 before the adjournment of the General Assembly; and that if such
7 appropriations expire, the projects and programs authorized herein will cease
8 thereby depriving the citizens of the State of the benefits to be derived from
9 such projects. Therefore, an emergency is hereby declared to exist and this
10 Act being necessary for the immediate preservation of the public peace, health
11 and safety shall be in full force and effect from and after the date of its
12 passage and approval.

13 */s/Rep. E. Thicksten*

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15 APPROVED: 2-27-95
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