

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 1426 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 391

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
10 OF EDUCATION - ARKANSAS SCHOOL FOR THE BLIND FOR
11 MAINTENANCE, RENOVATION, EQUIPPING, CONSTRUCTION,
12 ACQUISITION, IMPROVEMENT, UPGRADE AND REPAIR
13 PROJECTS; AND FOR OTHER PURPOSES.
14
15

Subtitle

16 AN ACT FOR THE DEPARTMENT OF EDUCATION
17 - ARKANSAS SCHOOL FOR THE BLIND GENERAL
18 IMPROVEMENT APPROPRIATION.
19
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 Blind,
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 Blind,
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 Blind 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.

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 10 SECTION 3. APPROPRIATION - FEDERAL FUNDS. There is hereby appropriated,
 11 to the Department of Education - Arkansas School for the Blind, 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 Blind 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.

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

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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

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29 APPROVED: 4/9/2009