

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

JBC 04/11/2001 (2)

Subtitle of Senate Bill No. 918

"TO CREATE THE ARKANSAS SCHOOL CONSTRUCTION TRUST FUND."

Amendment No. 1 to Senate Bill No. 918.

Amend Senate Bill No. 918 as originally introduced:

Page 1, line 9, delete "AN ACT" and substitute "AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY AND"

And

Page 1, line 15 insert "AND ARKANSAS DEVELOPMENT FINANCE AUTHORITY CAPITAL IMPROVEMENT APPROPRIATION" between "FUND" and "."

And

Page 1, delete lines 26 and 27 in their entirety

And

Page 1, line 28, delete "board" and substitute "State Board of Education"

And

Page 1, line 29, insert "in coordination with the Department of Education" between "Program" and "._"

And

Insert additional Sections immediately following Section 1 to read as follows:

" SECTION 2. APPROPRIATION. There is hereby appropriated, to the Arkansas Development Finance Authority, to be payable from the General Improvement Fund or its successor fund or fund accounts, for construction and rehabilitation of sub-standard school classrooms for the biennial period ending June 30, 2003, the sum of..... \$2,000,000.

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The Department of Education and the Board of Education shall promulgate rules and regulations regarding the determination of sub-standard classrooms and other relevant issues, and shall require review by the Arkansas Legislative Council or the Joint Budget Committee. Only in the event that funding is provided for the appropriation herein shall programs in this Act be administered.

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

(B) The restrictions of any applicable provisions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law and any other applicable fiscal control laws of this State and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of any funds provided by this act unless specifically provided otherwise by law.

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

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2001 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2001 could work irreparable harm upon the proper administration and provision of essential governmental programs. 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 July 1, 2001."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Joint Budget Committee

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Secretary