

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

# A Bill

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

1 various postsecondary vocational technical schools, technical institutes and  
2 comprehensive lifelong learning centers, in a sum not to exceed..... \$529,248.

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4 SECTION 2. REAPPROPRIATION - TRUST. There is hereby appropriated, to  
5 the Department of Education - Vocational and Technical Education Division, to  
6 be payable from the Building Trades Revolving Fund, the following:

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

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

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

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

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

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

33 (A) Effective July 1, 1995, the balance of the appropriation provided  
34 in Item (A) of Section 1 of Act 893 of 1993, for the purchase of equipment  
35 and a vehicle necessary for a distance learning satellite uplink system and

1 necessary building modifications, in a sum not to exceed ..... \$487,137.

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

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

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

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

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

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

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

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

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

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

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

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

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

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SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects provided or enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will cease thereby depriving the citizens of the State of the benefits to be derived from such projects. 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 the date of its passage and approval.

*/s/Rep. E. Thicksten*

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