

Stricken language would be deleted from present law. Underlined language would be added to current law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

SENATE BILL 332

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

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

## Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION  
15 REAPPROPRIATION."

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

19 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT - STATE LIBRARY. There  
20 is hereby appropriated, to the Department of Education - Arkansas State  
21 Library, to be payable from the General Improvement Fund or its successor fund  
22 or fund accounts, for the Department of Education - Arkansas State Library,  
23 the following:

24 (A) Effective July 1, 1997, the balance of the appropriation provided  
25 in Item (A) of Section 7 of Act 972 of 1995, for the purchase of equipment and  
26 software necessary for a computerized integrated library system, in a sum not  
27 to exceed ..... \$75,000.

29 SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT - SCHOOL FOR THE DEAF.  
30 There is hereby appropriated, to the Department of Education - School for the  
31 Deaf, to be payable from the General Improvement Fund or its successor fund or  
32 fund accounts, for the Department of Education - School for the Deaf, the  
33 following:

34 (A) Effective July 1, 1997, the balance of the appropriation provided  
35 in Item (C) of Section 1 of Act 679 of 1995, for the renovation and repair of  
36 various state buildings to meet the requirements of the Americans with

1 Disabilities Act, in a sum not to exceed ..... \$284,802.

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3 SECTION 3. REAPPROPRIATION - TRUST - VOCATIONAL AND TECHNICAL EDUCATION.

4 There is hereby appropriated, to the Department of Education - Vocational and  
5 Technical Education Division, to be payable from the Building Trades Revolving  
6 Fund, for the Department of Education - Vocational and Technical Education  
7 Division, the following:

8 (A) Effective July 1, 1997, the balance of the appropriation provided  
9 in Item (A) of Section 2 of Act 450 of 1995, for the purchase of lots and  
10 construction of single dwelling units and for other purposes, in a sum not to  
11 exceed ..... \$187,396.

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13 SECTION 4. REAPPROPRIATION - GENERAL IMPROVEMENT - DELTA TECHNICAL

14 INSTITUTE. There is hereby appropriated, to the Department of Education -  
15 Delta Technical Institute, to be payable from the General Improvement Fund or  
16 its successor fund or fund accounts, for the Department of Education - Delta  
17 Technical Institute, the following:

18 (A) Effective July 1, 1997, the balance of the appropriation provided  
19 in Item (B) of Section 1 of Act 689 of 1995, for maintenance and operation of  
20 the Delta Technical Institute - Jonesboro Training Center, in a sum not to  
21 exceed ..... \$150,000.

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23 SECTION 5. REAPPROPRIATION - GENERAL IMPROVEMENT - NORTHWEST TECHNICAL

24 INSTITUTE. There is hereby appropriated, to the Department of Education -  
25 Northwest Technical Institute, to be payable from the General Improvement Fund  
26 or its successor fund or fund accounts, for the Department of Education -  
27 Northwest Technical Institute, the following:

28 (A) Effective July 1, 1997, the balance of the appropriation provided  
29 in Item (A) of Section 1 of Act 222 of 1995, for boiler and refrigeration  
30 maintenance technology, in a sum not to exceed ..... \$150,000.

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32 SECTION 6. REAPPROPRIATION - GENERAL IMPROVEMENT - EDUCATIONAL

33 TELEVISION DIVISION. There is hereby appropriated, to the Department of  
34 Education - Educational Television Division, to be payable from the General  
35 Improvement Fund or its successor fund or fund accounts, for the Department of

1 Education - Educational Television Division, the following:

2 (A) Effective July 1, 1997, the balance of the appropriation provided  
3 in Item (A) of Section 4 of Act 450 of 1995, for the purchase of equipment and  
4 a vehicle necessary for a distance learning satellite uplink system and  
5 necessary building modifications, in a sum not to exceed .....\$31,605.

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7 (B) Effective July 1, 1997, the balance of the appropriation provided  
8 in Item (C) of Section 4 of Act 450 of 1995, for construction of the Arkansas  
9 Education Television Network/University of Central Arkansas Joint  
10 Communications and Broadcast facility, in a sum not to exceed ....\$6,780,000.

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12 (C) Effective July 1, 1997, the balance of the appropriation provided  
13 in Item (A) of Section 4 of Act 972 of 1995, for general network maintenance,  
14 in a sum not to exceed .....\$500,000.

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16 (D) Effective July 1, 1997, the balance of the appropriation provided  
17 in Item (C) of Section 4 of Act 972 of 1995, for the purchase of field  
18 production and editing equipment, in a sum not to exceed .....\$475,000.

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20 SECTION 7. REAPPROPRIATION - FEDERAL- EDUCATIONAL TELEVISION DIVISION.

21 There is hereby appropriated, to the Department of Education - Educational  
22 Television Division, to be payable from the federal funds as designated by the  
23 Chief Fiscal Officer of the State, for the Department of Education -  
24 Educational Television Division, the following:

25 (A) Effective July 1, 1997, the balance of the appropriation provided  
26 in Item (A) of Section 2 of Act 972 of 1995, for general network maintenance,  
27 in a sum not to exceed .....\$837,395.

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29 (B) Effective July 1, 1997, the balance of the appropriation provided  
30 in Item (C) of Section 2 of Act 972 of 1995, for the purchase of field  
31 production and editing equipment, in a sum not to exceed .....\$875,000.

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33 (C) Effective July 1, 1997, the balance of the appropriation provided  
34 in Item (B) of Section 3 of Act 450 of 1995, for the purchase of equipment and  
35 a vehicle necessary for a distance learning satellite uplink system and

1 necessary building modifications, in a sum not to exceed .....\$750,000.

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4 (D) Effective July 1, 1997, the balance of the appropriation provided  
5 in Item (C) of Section 3 of Act 450 of 1995, for general network maintenance,  
6 in a sum not to exceed .....\$193,716.

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8 SECTION 8. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
9 obligations otherwise incurred in relation to the project or projects  
10 described herein in excess of the State Treasury funds actually available  
11 therefor as provided by law. Provided, however, that institutions and  
12 agencies listed herein shall have the authority to accept and use grants and  
13 donations including Federal funds, and to use its unobligated cash income or  
14 funds, or both available to it, for the purpose of supplementing the State  
15 Treasury funds for financing the entire costs of the project or projects  
16 enumerated herein. Provided further, that the appropriations and funds  
17 otherwise provided by the General Assembly for Maintenance and General  
18 Operations of the agency or institutions receiving appropriation herein shall  
19 not be used for any of the purposes as appropriated in this Act.

20 (B) Any restrictions contained in the Acts enumerated in the  
21 reappropriation sections of this Act, the restrictions of any applicable  
22 provisions of the State Purchasing Law, the General Accounting and Budgetary  
23 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal  
24 control laws of this State and regulations promulgated by the Department of  
25 Finance and Administration, as authorized by law, shall be strictly complied  
26 with in disbursement of any funds provided by this Act unless specifically  
27 provided otherwise by law.

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29 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General  
30 Assembly that any funds disbursed under the authority of the appropriations  
31 contained in this Act shall be in compliance with the stated reasons for which  
32 this Act was adopted, as evidenced by the Agency Requests, Executive  
33 Recommendations and Legislative Recommendations contained in the budget  
34 manuals prepared by the Department of Finance and Administration, letters, or  
35 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 10. CODE. All provisions of this Act of a general and  
4 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
5 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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7 SECTION 11. SEVERABILITY. If any provision of this Act or the  
8 application thereof to any person or circumstance is held invalid, such  
9 invalidity shall not affect other provisions or applications of the Act which  
10 can be given effect without the invalid provision or application, and to this  
11 end the provisions of this Act are declared to be severable.

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13 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict  
14 with this Act are hereby repealed.

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16 SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the  
17 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
18 prohibits the appropriation of funds for more than a two (2) year period; that  
19 previous General Assemblies have provided appropriations for the projects  
20 provided or enumerated in this act; that certain appropriations will expire  
21 before the adjournment of the General Assembly; and that if such  
22 appropriations expire, the projects and programs authorized herein will cease  
23 thereby depriving the citizens of the State of the benefits to be derived from  
24 such projects. Therefore, an emergency is hereby declared to exist and this  
25 Act being necessary for the immediate preservation of the public peace, health  
26 and safety shall be in full force and effect from and after the date of its  
27 passage and approval.

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