

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

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2 State of Arkansas

As Engrossed: S1/28/97

3 81st General Assembly

A Bill

4 Regular Session, 1997

SENATE BILL 66

5 By: Senator Scott

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For An Act To Be Entitled

9 "AN ACT TO AMEND VARIOUS SECTIONS OF TITLE 6, CHAPTER 51,
10 SUBCHAPTER 5 OF THE ARKANSAS CODE TO EXPAND THE LIST OF
11 PROJECTS THAT STATE-SUPPORTED AREA VOCATIONAL SCHOOLS ARE
12 AUTHORIZED TO UNDERTAKE IN CONNECTION WITH COURSES OF
13 TRAINING IN THE BUILDING TRADES; TO DECLARE AN EMERGENCY;
14 AND FOR OTHER PURPOSES."

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Subtitle

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

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24 SECTION 1. Arkansas Code Annotated § 6-51-501 is amended to read as
25 follows:

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"6-51-501. Establishment.

27

28 (a) There is established a program where state-supported area vocational
29 schools offering courses of training in the building trades may, in connection
30 with these courses of training, acquire lots and construct ~~thereon~~ single
31 family dwelling units ~~thereon~~ in connection with the course of training in the
32 building trades and may sell such dwelling units and lots and deposit the
33 funds derived therefrom in a Building Trades Revolving Fund, which is created
34 for that purpose.

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(b) In addition, Riverside Vocational Technical School is exclusively
authorized to construct other building projects for state agencies or private,
nonprofit organizations in connection with the course of training in the

1 building trades."

2 SECTION 2. Arkansas Code Annotated § 6-51-502 is amended to read as
3 follows:

4 "6-51-502. Approval and notification requirements - Advance of funds.

5 (a) When a state-supported area vocational school offering courses of
6 training in the building trades, including carpentry, plumbing, bricklaying,
7 and electrical wiring, desires to participate in the program established
8 herein, it shall first obtain the written approval of the building trades
9 advisory committee for the construction trades.

10 (b) Upon receipt of written approval, the area vocational schools shall
11 notify the Vocational and Technical Education Division of the Department of
12 Education of its intent to undertake the construction of a single family
13 dwelling unit or other building project under the program established herein.

14 (c) Upon receipt of notice and subject to the availability of funds
15 therefor, the Vocational and Technical Education Division shall advance funds
16 to the area vocational school from the Building Trades Revolving Fund for the
17 purchasing of lots and building materials, supplies, and fixtures to be used
18 in the construction of the dwelling unit or other building project."

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20 SECTION 3. Arkansas Code Annotated § 6-51-503 is amended to read as
21 follows:

22 "6-51-503. Procedure for purchase of lot.

23 (a) When an area vocational school is advanced funds from the Building
24 Trades Revolving Fund by the Vocational and Technical Education Division as
25 herein provided, the area vocational school shall, if it proposes to purchase
26 a lot on which to build the dwelling unit or other building project, cause
27 notice of the proposed purchase to be published in a newspaper of general
28 circulation in the area where it proposes to purchase the lot, to give persons
29 in the area an opportunity to offer lots for sale to the school for the
30 construction of such unit or other building project.

31 (b) All offers received by the school to sell lots shall be considered
32 by the building trades advisory committee, and the committee shall make a
33 recommendation regarding the purchase of a lot to the Vocational and Technical
34 Education Division, and such lot may be purchased only upon approval of the
35 Vocational and Technical Education Division.

36 (c) In making the selection of a lot for recommendation to the

1 Vocational and Technical Education Division, the building trades advisory
2 committee shall take into consideration the price of the lot, the distance of
3 the lot from the school, the potential effect of the location of the property
4 on the sale thereof after the dwelling unit or other building project is
5 constructed, and such other matters as the committee may deem appropriate."
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7 SECTION 4. Arkansas Code Annotated § 6-51-504 is amended to read as
8 follows:

9 "6-51-504. Construction.

10 (a) The Vocational and Technical Education Division shall not advance
11 funds to an area vocational school from the revolving fund created herein for
12 the construction of more than one (1) dwelling unit or other building project
13 at any one (1) time or more than one (1) dwelling unit or other building
14 project in any twelve-month period.

15 (b) Riverside Vocational and Technical School shall be exempt from the
16 provisions of this section."

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18 SECTION 5. Arkansas Code Annotated § 6-51-505 is amended to read as
19 follows:

20 "6-51-505. Applicability of state purchasing law and regulations.

21 All building materials, supplies, and fixtures used in the construction
22 of a dwelling unit or other building project by a vocational school as herein
23 authorized shall be purchased by the school in accordance with the state
24 purchasing law and regulations."
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26 SECTION 6. Arkansas Code Annotated § 6-51-506 is amended to read as
27 follows:

28 "6-51-506. ~~Unit~~ Dwelling unit or other building project conformity to
29 local and state requirements and restrictions.

30 Any dwelling unit or other building project constructed by an area
31 vocational school pursuant to this subchapter shall conform to the local
32 zoning and building code, if any, of the municipality or area in which
33 constructed and shall be subject to all requirements, restrictions, and
34 regulations of the locality in which located, the Department of Health, and
35 other public agencies, the same as if constructed by a private builder."
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1 SECTION 7. Arkansas Code Annotated § 6-51-507 is amended to read as
2 follows:

3 "6-51-507. Procedure for appraisal and auction of dwelling unit or other
4 building project - Exception.

5 (a) Upon completion of a dwelling unit or other building project, the
6 officials of the area vocational school shall cause the unit or project to be
7 appraised by a qualified real estate appraiser.

8 (b)(1) Upon receipt of the appraisal, the officials shall cause notice
9 to be published in one (1) or more newspapers of general circulation in the
10 area, that the dwelling unit or other building project will be sold at public
11 auction to the highest bidder above the appraised value thereof.

12 (2) The notice shall state the location of the unit or project
13 and the date, time, and place at which the auction will be held, which date
14 shall be at least two (2) weeks after the date of the publication of notice.

15 (c) No such dwelling unit or other building project shall be sold for
16 an amount less than the appraised value of the property.

17 (d) If no bid at the auction equals or exceeds the appraised value of
18 the property, all bids shall be rejected and the property shall again be
19 advertised and offered for sale at another auction to be held within ninety
20 (90) days after the first auction, and this procedure of advertising for and
21 holding an auction on the property shall be continued until the property is
22 sold.

23 (e) The provisions of this section shall not be applicable to any
24 building project for a state agency, which shall reimburse the area vocational
25 school for actual costs incurred in the completion of the project."

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27 SECTION 8. Arkansas Code Annotated § 6-51-508 is amended to read as
28 follows:

29 "6-51-508. Deposit of funds derived from sale.

30 All funds derived from reimbursement by a state agency or from the sale
31 of a dwelling unit or other building project constructed under the provisions
32 of this subchapter, after deducting the cost of the sale, shall be remitted to
33 the Vocational and Technical Education Division for deposit in the Building
34 Trades Revolving Fund created herein."

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36 SECTION 9. Arkansas Code Annotated § 6-51-509 is amended to read as

1 follows:

2 "6-51-509. Uses for Building Trades Revolving Fund.

3 All funds appropriated for the program established herein, together with
4 funds derived from the sale of property and remitted to the Vocational and
5 Technical Education Division and deposited in the Building Trades Revolving
6 Fund, shall be used exclusively for the purposes of making advances to area
7 vocational schools for the purchase of lots, building materials, supplies, and
8 fixtures necessary to construct dwellings or other building projects on such
9 lots, and to otherwise carry out the purposes of this subchapter."

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11 SECTION 10. All provisions of this act of a general and permanent
12 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
13 Code Revision Commission shall incorporate the same in the Code.

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15 SECTION 11. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.

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21 SECTION 12. All laws and parts of laws in conflict with this act are
22 hereby repealed.

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24 SECTION 13. EMERGENCY. It is found and determined by the General
25 Assembly of the State of Arkansas that the immediate passage of this act is
26 necessary to ensure that those state agencies that are planning building
27 projects for construction during the current fiscal year are able to utilize
28 agency funds in a more efficient manner by cooperating with area vocational
29 schools under the provisions of this act. Therefore an emergency is declared
30 to exist and this act being immediately necessary for the preservation of the
31 public peace, health and safety shall become effective on the date of its
32 approval by the Governor. If the bill is neither approved nor vetoed by the
33 Governor, it shall become effective on the expiration of the period of time
34 during which the Governor may veto the bill. If the bill is vetoed by the
35 Governor and the veto is overridden, it shall become effective on the date the
36 last house overrides the veto.

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/s/Scott