

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 1743

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

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9 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
10 EDUCATION - SCHOOL FOR THE DEAF FOR MAJOR MAINTENANCE,
11 REPAIRS AND RENOVATIONS; AND FOR OTHER PURPOSES."

Subtitle

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14 "AN ACT FOR THE DEPARTMENT OF EDUCATION
15 - SCHOOL FOR THE DEAF CAPITAL IMPROVEMENT
16 APPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby
22 appropriated, to the Department of Education - School for the Deaf, to be
23 payable from the General Improvement Fund or its successor fund or fund
24 accounts, the following:

25 (A) For Major Maintenance, Repairs and Renovations of various School for
26 the Deaf facilities, the sum of ..\$500,000.
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28 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

30 DISBURSEMENT OF FUNDS. Expenditure of the funds authorized herein shall be
31 made only upon documentation to the Chief Fiscal Officer of the State, in such
32 form as deemed necessary, that all criteria or pre-conditions established in
33 the appropriation act have been met or in the case of state agencies, that a
34 Method of Finance has been filed with the Office of Accounting in the
35 Department of Finance and Administration. Any matching funds as may be
36 provided in law shall be certified to the Chief Fiscal Officer of the State

1 prior to the commencement of the project. Further, any recipient of the funds
 2 appropriated herein may be required to file a compliance audit indicating that
 3 the use of the funds was in compliance with the intent of the General
 4 Assembly.

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 6 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
 7 obligations otherwise incurred in relation to the project or projects
 8 described herein in excess of the State Treasury funds actually available
 9 therefor as provided by law. Provided, however, that institutions and
 10 agencies listed herein shall have the authority to accept and use grants and
 11 donations including Federal funds, and to use its unobligated cash income or
 12 funds, or both available to it, for the purpose of supplementing the State
 13 Treasury funds for financing the entire costs of the project or projects
 14 enumerated herein. Provided further, that the appropriations and funds
 15 otherwise provided by the General Assembly for Maintenance and General
 16 Operations of the agency or institutions receiving appropriation herein shall
 17 not be used for any of the purposes as appropriated in this act.

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

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 25 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
 26 that any funds disbursed under the authority of the appropriations contained
 27 in this act shall be in compliance with the stated reasons for which this act
 28 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 29 and Legislative Recommendations contained in the budget manuals prepared by
 30 the Department of Finance and Administration, letters, or summarized oral
 31 testimony in the official minutes of the Arkansas Legislative Council or Joint
 32 Budget Committee which relate to its passage and adoption.

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

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SECTION 6. SEVERABILITY. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second 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, 1999 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, 1999 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, 1999.