

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

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

# A Bill

SENATE BILL 579

4  
5 By: Joint Budget Committee  
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7

## For An Act To Be Entitled

8  
9 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF  
10 EDUCATION - GENERAL EDUCATION DIVISION FOR  
11 CONSTRUCTION, RENOVATION, MAJOR MAINTENANCE, EQUIPMENT  
12 AND ANNUAL LOAN REPAYMENTS; AND FOR OTHER PURPOSES."  
13

## Subtitle

14  
15 "AN ACT FOR THE DEPARTMENT OF EDUCATION  
16 - GENERAL EDUCATION DIVISION CAPITAL  
17 IMPROVEMENT APPROPRIATION.  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby  
23 appropriated, to the Department of Education - General Education Division, to  
24 be payable from the General Improvement Fund or its successor fund or fund  
25 accounts, the following:

26 (A) For costs associated with major maintenance, renovation, repair,  
27 replacement and the purchase of equipment related to the HVAC system and the  
28 installation of a security system for the Luther Hardin Building, the sum of  
29 .....\$864,000.  
30

31 (B) For annual loan repayments to the Teacher Retirement System for the  
32 Arkansas Public School Computer Network, the sum of .....\$5,800,589.  
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34 SECTION 2. APPROPRIATIONS - TRUST. There is hereby appropriated, to the  
35 Department of Education - General Education Division, to be payable from the  
36 Educational Building Revenue Bond Fund, the following:

\*KCA082\*

1 (A) For costs associated with maintenance, repairs and purchase of  
2 materials for the interior/exterior of the Arch Ford Education Buildings A, B,  
3 C and D, the sum of .....\$330,000.

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5 (B) For purchases, repairs, maintenance and maintenance contracts for the  
6 heating and cooling units for the Arch Ford Education Buildings A, B, C and D,  
7 the sum of .....\$260,000.

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9 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 DISBURSEMENT OF FUNDS. Expenditure of the funds authorized herein shall be  
12 made only upon documentation to the Chief Fiscal Officer of the State, in such  
13 form as deemed necessary, that all criteria or pre-conditions established in  
14 the appropriation act have been met or in the case of state agencies, that a  
15 Method of Finance has been filed with the Office of Accounting in the  
16 Department of Finance and Administration. Any matching funds as may be  
17 provided in law shall be certified to the Chief Fiscal Officer of the State  
18 prior to the commencement of the project. Further, any recipient of the funds  
19 appropriated herein may be required to file a compliance audit indicating that  
20 the use of the funds was in compliance with the intent of the General  
21 Assembly.

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23 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
24 obligations otherwise incurred in relation to the project or projects  
25 described herein in excess of the State Treasury funds actually available  
26 therefor as provided by law. Provided, however, that institutions and  
27 agencies listed herein shall have the authority to accept and use grants and  
28 donations including Federal funds, and to use its unobligated cash income or  
29 funds, or both available to it, for the purpose of supplementing the State  
30 Treasury funds for financing the entire costs of the project or projects  
31 enumerated herein. Provided further, that the appropriations and funds  
32 otherwise provided by the General Assembly for Maintenance and General  
33 Operations of the agency or institutions receiving appropriation herein shall  
34 not be used for any of the purposes as appropriated in this act.

35 (B) The restrictions of any applicable provisions of the State Purchasing  
36 Law, the General Accounting and Budgetary Procedures Law, the Revenue

1 Stabilization Law and any other applicable fiscal control laws of this State  
2 and regulations promulgated by the Department of Finance and Administration,  
3 as authorized by law, shall be strictly complied with in disbursement of any  
4 funds provided by this act unless specifically provided otherwise by law.

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

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15 SECTION 6. CODE. All provisions of this Act of a general and permanent  
16 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
17 Code Revision Commission shall incorporate the same in the Code.

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19 SECTION 7. SEVERABILITY. If any provision of this act or the application  
20 thereof to any person or circumstance is held invalid, such invalidity shall  
21 not affect other provisions or applications of the act which can be given  
22 effect without the invalid provision or application, and to this end the  
23 provisions of this act are declared to be severable.

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25 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict with  
26 this act are hereby repealed.

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28 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
29 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
30 prohibits the appropriation of funds for more than a two (2) year period; that  
31 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
32 the agency for which the appropriations in this Act are provided, and that in  
33 the event of an extension of the Regular Session, the delay in the effective  
34 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
35 proper administration and provision of essential governmental programs.  
36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and  
2 safety shall be in full force and effect from and after July 1, 1999.

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