

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S4/11/01

A Bill

SENATE BILL 918

5 By: Senator K. Smith
6
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
10 DEVELOPMENT FINANCE AUTHORITY AND TO CREATE THE
11 ARKANSAS SCHOOL CONSTRUCTION TRUST FUND; AND FOR
12 OTHER PURPOSES.
13

Subtitle

14
15 TO CREATE THE ARKANSAS SCHOOL
16 CONSTRUCTION TRUST FUND AND ARKANSAS
17 DEVELOPMENT FINANCE AUTHORITY CAPITAL
18 IMPROVEMENT APPROPRIATION.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. (a) There is established on the books of the Treasurer of
25 State, the Auditor of State, and the Chief Fiscal Officer of the State a fund
26 to be known as the "Arkansas School Construction Trust Fund" which shall
27 consist of those moneys as provided by law.

28 (b) The fund shall be administered by the Arkansas Development Finance
29 Authority.

30 (1) The State Board of Education shall establish criteria for
31 the implementation of the Arkansas School Construction Program in
32 coordination with the Department of Education.

33 (c) The Department of Education shall administer the program.
34

35 SECTION 2. APPROPRIATION. *There is hereby appropriated, to the Arkansas*
36 *Development Finance Authority, to be payable from the General Improvement*

1 Fund or its successor fund or fund accounts, for construction and
2 rehabilitation of sub-standard school classrooms for the biennial period
3 ending June 30, 2003, the sum of..... \$2,000,000.

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5 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The
7 Department of Education and the Board of Education shall promulgate rules and
8 regulations regarding the determination of sub-standard classrooms and other
9 relevant issues, and shall require review by the Arkansas Legislative Council
10 or the Joint Budget Committee. Only in the event that funding is provided
11 for the appropriation herein shall programs in this Act be administered.

12
13 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
14 obligations otherwise incurred in relation to the project or projects
15 described herein in excess of the State Treasury funds actually available
16 therefor as provided by law. Provided, however, that institutions and
17 agencies listed herein shall have the authority to accept and use grants and
18 donations including Federal funds, and to use its unobligated cash income or
19 funds, or both available to it, for the purpose of supplementing the State
20 Treasury funds for financing the entire costs of the project or projects
21 enumerated herein. Provided further, that the appropriations and funds
22 otherwise provided by the General Assembly for Maintenance and General
23 Operations of the agency or institutions receiving appropriation herein shall
24 not be used for any of the purposes as appropriated in this act.

25 (B) The restrictions of any applicable provisions of the State
26 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
27 Revenue Stabilization Law and any other applicable fiscal control laws of
28 this State and regulations promulgated by the Department of Finance and
29 Administration, as authorized by law, shall be strictly complied with in
30 disbursement of any funds provided by this act unless specifically provided
31 otherwise by law.

32
33 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
34 Assembly that any funds disbursed under the authority of the appropriations
35 contained in this act shall be in compliance with the stated reasons for
36 which this act was adopted, as evidenced by the Agency Requests, Executive

1 *Recommendations and Legislative Recommendations contained in the budget*
2 *manuals prepared by the Department of Finance and Administration, letters, or*
3 *summarized oral testimony in the official minutes of the Arkansas Legislative*
4 *Council or Joint Budget Committee which relate to its passage and adoption.*

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6 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
7 Assembly, that the Constitution of the State of Arkansas prohibits the
8 appropriation of funds for more than a two (2) year period; that the
9 effectiveness of this Act on July 1, 2001 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the Regular Session, the delay in the effective
12 date of this Act beyond July 1, 2001 could work irreparable harm upon the
13 proper administration and provision of essential governmental programs.
14 Therefore, an emergency is hereby declared to exist and this Act being
15 necessary for the immediate preservation of the public peace, health and
16 safety shall be in full force and effect from and after July 1, 2001.

17 /s/ K. Smith