

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S3/25/09
A Bill

SENATE BILL 390

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
10 OF EDUCATION - ARKANSAS SCHOOL FOR THE DEAF FOR
11 MAINTENANCE, RENOVATION, EQUIPPING, CONSTRUCTION,
12 ACQUISITION, IMPROVEMENT, UPGRADE AND REPAIR
13 PROJECTS; AND FOR OTHER PURPOSES.
14

Subtitle

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

28 (A) For maintenance, renovation, equipping, construction, acquisition,
29 improvement, upgrade and repair projects for all state-owned real property
30 and facilities, the sum of\$500,000.
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32 SECTION 2. APPROPRIATION - GENERAL IMPROVEMENT. There is hereby
33 appropriated, to the Department of Education - Arkansas School for the Deaf,
34 to be payable from the General Improvement Fund or its successor fund or fund
35 accounts, the following:

36 (A) For maintenance, renovation, equipping, construction, acquisition,



1 *improvement, upgrade and repair projects for all state-owned real property*
 2 *and facilities, which means the physical plant and related areas owned or*
 3 *operated by the Arkansas School for the Deaf including without limitation*
 4 *academic and administrative buildings, dormitories, grounds, lifts and*
 5 *elevators, walkways, utilities infrastructure, and other specialized*
 6 *equipment for students with disabilities related to the facilities listed in*
 7 *this section, the sum of\$5,000,000.*

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 9 *SECTION 3. APPROPRIATION - FEDERAL FUNDS. There is hereby appropriated,*
 10 *to the Department of Education - Arkansas School for the Deaf, to be payable*
 11 *from the federal funds as designated by the Chief Fiscal Officer of the*
 12 *State, the following:*

13 *(A) For maintenance, renovation, equipping, construction, acquisition,*
 14 *improvement, upgrade and repair projects for all state-owned real property*
 15 *and facilities, which means the physical plant and related areas owned or*
 16 *operated by the Arkansas School for the Deaf including without limitation*
 17 *academic and administrative buildings, dormitories, grounds, lifts and*
 18 *elevators, walkways, utilities infrastructure, and other specialized*
 19 *equipment for students with disabilities related to the facilities listed in*
 20 *this section, the sum of\$5,000,000.*

21
 22 *SECTION 4. APPROPRIATION - EDUCATIONAL FACILITIES PARTNERSHIP FUND*
 23 *ACCOUNT. There is hereby appropriated, to the Department of Education -*
 24 *Arkansas School for the Deaf, to be payable from the Educational Facilities*
 25 *Partnership Fund Account, the following:*

26 *(A) For maintenance, renovation, equipping, construction, acquisition,*
 27 *improvement, upgrade and repair projects for all state-owned real property*
 28 *and facilities, which means the physical plant and related areas owned or*
 29 *operated by the Arkansas School for the Deaf including without limitation*
 30 *academic and administrative buildings, dormitories, grounds, lifts and*
 31 *elevators, walkways, utilities infrastructure, and other specialized*
 32 *equipment for students with disabilities related to the facilities listed in*
 33 *this section, the sum of\$5,000,000.*

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 35 *SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
 36 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*

1 FACILITIES FUNDING. The Arkansas School for the Deaf is eligible for funding
2 under the Arkansas Public School Academic Facilities Funding Act, §6-20-2501
3 et seq., the Arkansas Public School Academic Facilities Financing Act of
4 2007, §6-20-2601 et seq., and other sources of funding allowed by law.

5 The Arkansas School for the Deaf shall have a separate review and approval
6 process under §6-43-207 and §6-43-303 to receive facilities funding in lieu
7 of the review and approval process for a public school or a public school
8 district under the Arkansas Public School Academic Facilities Funding Act,
9 §6-20-2501 et seq., and the Arkansas Public School Academic Facilities
10 Financing Act of 2007, §6-20-2601 et seq.

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

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

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31 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
32 that any funds disbursed under the authority of the appropriations contained
33 in this act shall be in compliance with the stated reasons for which this act
34 was adopted, as evidenced by the Agency Requests, Executive Recommendations
35 and Legislative Recommendations contained in the budget manuals prepared by
36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or
2 Joint Budget Committee which relate to its passage and adoption.

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4 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a one (1) year period; that the
7 effectiveness of this Act on July 1, 2009 is essential to the operation of
8 the agency for which the appropriations in this Act are provided, and that in
9 the event of an extension of the Regular Session, the delay in the effective
10 date of this Act beyond July 1, 2009 could work irreparable harm upon the
11 proper administration and provision of essential governmental programs.
12 Therefore, an emergency is hereby declared to exist and this Act being
13 necessary for the immediate preservation of the public peace, health and
14 safety shall be in full force and effect from and after July 1, 2009.

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16 */s/ Joint Budget Committee*
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