

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1326

4
5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
10 EDUCATION - AND ITS VARIOUS DIVISIONS; AND FOR
11 OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -
15 AND ITS VARIOUS DIVISIONS REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REAPPROPRIATION - DEPARTMENT OF EDUCATION - GENERAL
22 IMPROVEMENT. There is hereby appropriated, to the Department of Education,
23 to be payable from the General Improvement Fund or its successor fund or fund
24 accounts, for the Department of Education the following:

25 (A) Effective July 1, 2011, the balance of the appropriation provided
26 in Item (B) Section 6 of Act 257 of 2010, for grants to eligible public
27 schools for school recognition awards to be used for nonrecurring bonuses to
28 faculty and staff, nonrecurring expenditures for educational equipment or
29 materials or temporary school personnel by the Arkansas School Recognition
30 Program, in a sum not to exceed.....\$12,813,083.
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32 SECTION 2. REAPPROPRIATION - DIVISION OF PUBLIC SCHOOL ACADEMIC
33 FACILITIES AND TRANSPORTATION - SCHOOL BUS SAFETY. There is hereby
34 appropriated, to the Department of Education - Division of Public School
35 Academic Facilities and Transportation, to be payable from the General
36 Improvement Fund or its successor fund or fund accounts, for the Department



1 of Education - Division of Public School Academic Facilities and
2 Transportation the following:

3 (A) Effective July 1, 2011, the balance of the appropriation provided
4 in Item (A) Section 8 of Act 257 of 2010, for personal services, operating
5 expenses, and purchase of equipment for a School Bus Safety Equipment Grant
6 Pilot Program, in a sum not to exceed.....\$85,384.

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8 SECTION 3. REAPPROPRIATION - SCHOOL FOR THE BLIND - GENERAL
9 IMPROVEMENT. There is hereby appropriated, to the Department of Education -
10 Arkansas School for the Blind, to be payable from the General Improvement
11 Fund or its successor fund or fund accounts, for the Department of Education
12 - Arkansas School for the Blind the following:

13 (A) Effective July 1, 2011, the balance of the appropriation provided
14 in Item (A) Section 10 of Act 257 of 2010, for maintenance, renovation,
15 equipping, construction, acquisition, improvement, upgrade and repair
16 projects for all state-owned real property and facilities, in a sum not to
17 exceed.....\$500,000.

18 (B) Effective July 1, 2011, the balance of the appropriation provided
19 in Item (B) Section 10 of Act 257 of 2010, for maintenance, renovation,
20 equipping, construction, acquisition, improvement, upgrade and repair
21 projects for all state-owned real property and facilities, which means the
22 physical plant and related areas owned or operated by the Arkansas School for
23 the Blind including without limitation academic and administrative buildings,
24 dormitories, grounds, lifts and elevators, walkways, utilities
25 infrastructure, and other specialized equipment for students with
26 disabilities related to the facilities listed in this section, in a sum not
27 to exceed.....\$5,000,000.

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29 SECTION 4. REAPPROPRIATION - SCHOOL FOR THE BLIND - FEDERAL FUNDS.
30 There is hereby appropriated, to the Department of Education - Arkansas
31 School for the Blind, to be payable from the federal funds as designated by
32 the Chief Fiscal Officer of the State, for the Department of Education -
33 Arkansas School for the Blind the following:

34 (A) Effective July 1, 2011, the balance of the appropriation provided
35 in Item (A) Section 11 of Act 257 of 2010, for maintenance, renovation,
36 equipping, construction, acquisition, improvement, upgrade and repair

1 projects for all state-owned real property and facilities, which means the
2 physical plant and related areas owned or operated by the Arkansas School for
3 the Blind including without limitation academic and administrative buildings,
4 dormitories, grounds, lifts and elevators, walkways, utilities
5 infrastructure, and other specialized equipment for students with
6 disabilities related to the facilities listed in this section, in a sum not
7 to exceed.....\$3,139,607.

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9 SECTION 5. REAPPROPRIATION - SCHOOL FOR THE DEAF - VARIOUS PROJECTS.

10 There is hereby appropriated, to the Department of Education - Arkansas
11 School for the Deaf, to be payable from the General Improvement Fund or its
12 successor fund or fund accounts, for the Department of Education - Arkansas
13 School for the Deaf the following:

14 (A) Effective July 1, 2011, the balance of the appropriation provided
15 in Item (A) Section 12 of Act 257 of 2010, for various maintenance,
16 renovation, equipping, construction, acquisition, improvement, upgrade and
17 repair projects for all state-owned real property and facilities, in a sum
18 not to exceed.....\$42,771.

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20 SECTION 6. REAPPROPRIATION - SCHOOL FOR THE DEAF - GENERAL IMPROVEMENT.

21 There is hereby appropriated, to the Department of Education - Arkansas
22 School for the Deaf, to be payable from the General Improvement Fund or its
23 successor fund or fund accounts, for the Department of Education - Arkansas
24 School for the Deaf the following:

25 (A) Effective July 1, 2011, the balance of the appropriation provided
26 in Item (A) Section 13 of Act 257 of 2010, for maintenance, renovation,
27 equipping, construction, acquisition, improvement, upgrade and repair
28 projects for all state-owned real property and facilities, in a sum not to
29 exceed.....\$500,000.

30 (B) Effective July 1, 2011, the balance of the appropriation provided
31 in Item (B) Section 13 of Act 257 of 2010, for maintenance, renovation,
32 equipping, construction, acquisition, improvement, upgrade and repair
33 projects for all state-owned real property and facilities, which means the
34 physical plant and related areas owned or operated by the Arkansas School for
35 the Deaf including without limitation academic and administrative buildings,
36 dormitories, grounds, lifts and elevators, walkways, utilities

1 infrastructure, and other specialized equipment for students with
2 disabilities related to the facilities listed in this section, in a sum not
3 to exceed.....\$5,000,000.
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5 SECTION 7. REAPPROPRIATION - SCHOOL FOR THE DEAF - FEDERAL FUNDS.

6 There is hereby appropriated, to the Department of Education - Arkansas
7 School for the Deaf, to be payable from the federal funds as designated by
8 the Chief Fiscal Officer of the State, for the Department of Education -
9 Arkansas School for the Deaf the following:

10 (A) Effective July 1, 2011, the balance of the appropriation provided
11 in Item (A) Section 14 of Act 257 of 2010, for maintenance, renovation,
12 equipping, construction, acquisition, improvement, upgrade and repair
13 projects for all state-owned real property and facilities, which means the
14 physical plant and related areas owned or operated by the Arkansas School for
15 the Deaf including without limitation academic and administrative buildings,
16 dormitories, grounds, lifts and elevators, walkways, utilities
17 infrastructure, and other specialized equipment for students with
18 disabilities related to the facilities listed in this section, in a sum not
19 to exceed.....\$3,163,172.
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21 SECTION 8. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - GENERAL
22 IMPROVEMENT. There is hereby appropriated, to the Department of Education -
23 Educational Television Division, to be payable from the General Improvement
24 Fund or its successor fund or fund accounts, for the Department of Education
25 - Educational Television Division the following:

26 (A) Effective July 1, 2011, the balance of the appropriation provided
27 in Item (A) Section 15 of Act 257 of 2010, for costs associated with the
28 planning for a Northwest Communications Center, in a sum not to exceed
29\$99,904.

30 (B) Effective July 1, 2011, the balance of the appropriation provided
31 in Item (B) Section 15 of Act 257 of 2010, for costs associated with
32 implementing an AETN satellite broadcasting site in Northwest Arkansas and
33 for use by the University of Arkansas and AETN, in a sum not to exceed
34\$119,362.

35 (C) Effective July 1, 2011, the balance of the appropriation provided
36 in Item (D) Section 15 of Act 257 of 2010, for costs associated with general

1 network maintenance needed to secure the state's investment in technology and
2 to provide state matching for federal grants, in a sum not to exceed
3\$368,543.
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5 SECTION 9. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - GENERAL
6 NETWORK MAINTENANCE. There is hereby appropriated, to the Department of
7 Education - Educational Television Division, to be payable from the federal
8 funds as designated by the Chief Fiscal Officer of the State, for the
9 Department of Education - Educational Television Division the following:

10 (A) Effective July 1, 2011, the balance of the appropriation provided
11 in Item (A) Section 16 of Act 257 of 2010, for costs associated with General
12 Network Maintenance needed to secure the state's investment in technology, in
13 a sum not to exceed.....\$174,990.
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15 SECTION 10. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - GENERAL
16 IMPROVEMENT. There is hereby appropriated, to the Department of Education -
17 Educational Television Division, to be payable from the General Improvement
18 Fund or its successor fund or fund accounts, for the Department of Education
19 - Educational Television Division the following:

20 (A) Effective July 1, 2011, the balance of the appropriation provided
21 in Item (A) Section 18 of Act 257 of 2010, for production, maintenance,
22 renovation, equipping, construction, acquisition, improvement, upgrade, and
23 repair projects for all state-owned real property and facilities, in a sum
24 not to exceed.....\$2,500,000.
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26 SECTION 11. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - FEDERAL
27 FUNDS. There is hereby appropriated, to the Department of Education -
28 Educational Television Division, to be payable from the federal funds as
29 designated by the Chief Fiscal Officer of the State, for the Department of
30 Education - Educational Television Division the following:

31 (A) Effective July 1, 2011, the balance of the appropriation provided
32 in Item (A) Section 19 of Act 257 of 2010, for preventive and major
33 maintenance, routine and emergency equipment repairs, and equipment
34 replacement, in a sum not to exceed.....\$225,609.
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36 SECTION 12. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor

1 obligations otherwise incurred in relation to the project or projects
2 described herein in excess of the State Treasury funds actually available
3 therefor as provided by law. Provided, however, that institutions and
4 agencies listed herein shall have the authority to accept and use grants and
5 donations including Federal funds, and to use its unobligated cash income or
6 funds, or both available to it, for the purpose of supplementing the State
7 Treasury funds for financing the entire costs of the project or projects
8 enumerated herein. Provided further, that the appropriations and funds
9 otherwise provided by the General Assembly for Maintenance and General
10 Operations of the agency or institutions receiving appropriation herein shall
11 not be used for any of the purposes as appropriated in this act.

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

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

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29 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the
30 General Assembly, that the Constitution of the State of Arkansas prohibits
31 the appropriation of funds for more than a one (1) year period; that previous
32 General Assemblies have provided appropriations for the projects provided or
33 enumerated in this act; that certain appropriations will expire before the
34 adjournment of the General Assembly; and that if such appropriations expire,
35 the projects and programs authorized herein will cease thereby depriving the
36 citizens of the State of the benefits to be derived from such projects.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 2011.

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