

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012

A Bill

HOUSE BILL 1011

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, 2012, the balance of the appropriation provided
26 in Item (A) Section 1 of Act 73 of 2011, 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.....\$28,383.

31 (B) Effective July 1, 2012, the balance of the appropriation provided
32 in Item (A) Section 1 of Act 644 of 2011, for grants for construction,
33 improvements, equipment, maintenance and operating costs for community
34 organizations where schools are in jeopardy of being closed or consolidated,
35 in a sum not to exceed.....\$500,000.

36 (C) Effective July 1, 2012, the balance of the appropriation provided



1 in Item (A) Section 1 of Act 647 of 2011, for grants for after-school,
2 literacy, and nutrition services for at-risk children and youth, in a sum not
3 to exceed.....\$500,000.

4 (D) Effective July 1, 2012, the balance of the appropriation provided
5 in Item (A) Section 1 of Act 545 of 2011, for loan payments to the Teacher
6 Retirement System for the statewide public school computer system, in a sum
7 not to exceed.....\$2,900,312.

8 (E) Effective July 1, 2012, the balance of the appropriation provided
9 in Item (B) Section 1 of Act 545 of 2011, for grants to provide matching
10 funds for the National Math and Science Initiative grant to be used for
11 operations, teacher professional development, incentives for teachers and
12 students, student study sessions, equipment to schools and teacher stipends,
13 in a sum not to exceed.....\$3,046,092.

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15 SECTION 2. REAPPROPRIATION - TRUST FUND - RENOVATION AND REPAIRS.

16 There is hereby appropriated, to the Department of Education, to be payable
17 from the Educational Buildings Maintenance Fund, for the Department of
18 Education the following:

19 (A) Effective July 1, 2012, the balance of the appropriation provided
20 in Item (A) Section 2 of Act 545 of 2011, for renovation and repairs to the
21 existing Department of Education Capitol Complex facilities, in a sum not to
22 exceed.....\$3,000,000.

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24 SECTION 3. REAPPROPRIATION - DIVISION OF PUBLIC SCHOOL ACADEMIC
25 FACILITIES AND TRANSPORTATION - SCHOOL BUS SAFETY. There is hereby
26 appropriated, to the Department of Education - Division of Public School
27 Academic Facilities and Transportation, to be payable from the General
28 Improvement Fund or its successor fund or fund accounts, for the Department
29 of Education - Division of Public School Academic Facilities and
30 Transportation the following:

31 (A) Effective July 1, 2012, the balance of the appropriation provided
32 in Item (A) Section 2 of Act 73 of 2011, for personal services, operating
33 expenses, and purchase of equipment for a School Bus Safety Equipment Grant
34 Pilot Program, in a sum not to exceed.....\$35,934.

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36 SECTION 4. REAPPROPRIATION - SCHOOL FOR THE BLIND - FEDERAL FUNDS.

1 There is hereby appropriated, to the Department of Education - Arkansas
2 School for the Blind, to be payable from the federal funds as designated by
3 the Chief Fiscal Officer of the State, for the Department of Education -
4 Arkansas School for the Blind the following:

5 (A) Effective July 1, 2012, the balance of the appropriation provided
6 in Item (A) Section 4 of Act 73 of 2011, for maintenance, renovation,
7 equipping, construction, acquisition, improvement, upgrade and repair
8 projects for all state-owned real property and facilities, which means the
9 physical plant and related areas owned or operated by the Arkansas School for
10 the Blind including without limitation academic and administrative buildings,
11 dormitories, grounds, lifts and elevators, walkways, utilities
12 infrastructure, and other specialized equipment for students with
13 disabilities related to the facilities listed in this section, in a sum not
14 to exceed.....\$1,285,907.

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16 SECTION 5. REAPPROPRIATION - SCHOOL FOR THE BLIND - GENERAL
17 IMPROVEMENT. There is hereby appropriated, to the Department of Education -
18 Arkansas School for the Blind, to be payable from the General Improvement
19 Fund or its successor fund or fund accounts, for the Department of Education
20 - Arkansas School for the Blind the following:

21 (A) Effective July 1, 2012, the balance of the appropriation provided
22 in Item (A) Section 1 of Act 313 of 2011, for various maintenance,
23 renovation, equipping, construction, acquisition, improvement, upgrade, and
24 repair of real property and facilities, in a sum not to exceed
25\$500,000.

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27 SECTION 6. REAPPROPRIATION - SCHOOL FOR THE DEAF - GENERAL IMPROVEMENT.
28 There is hereby appropriated, to the Department of Education - Arkansas
29 School for the Deaf, to be payable from the General Improvement Fund or its
30 successor fund or fund accounts, for the Department of Education - Arkansas
31 School for the Deaf the following:

32 (A) Effective July 1, 2012, the balance of the appropriation provided
33 in Item (A) Section 1 of Act 310 of 2011, for replacement of the existing
34 electrical system at the Arkansas School for the Deaf, in a sum not to exceed
35\$557,524.

36 (B) Effective July 1, 2012, the balance of the appropriation provided

1 in Item (B) Section 1 of Act 310 of 2011, for various maintenance,
2 renovation, equipping, construction, acquisition, improvement, upgrade, and
3 repair of real property and facilities, in a sum not to exceed
4\$500,000.

6 SECTION 7. REAPPROPRIATION - SCHOOL FOR THE DEAF - FEDERAL FUNDS.

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

11 (A) Effective July 1, 2012, the balance of the appropriation provided
12 in Item (A) Section 2 of Act 310 of 2011, for replacement of the existing
13 electrical system at the Arkansas School for the Deaf, in a sum not to exceed
14\$823,200.

15 (B) Effective July 1, 2012, the balance of the appropriation provided
16 in Item (A) Section 7 of Act 73 of 2011, for maintenance, renovation,
17 equipping, construction, acquisition, improvement, upgrade and repair
18 projects for all state-owned real property and facilities, which means the
19 physical plant and related areas owned or operated by the Arkansas School for
20 the Deaf including without limitation academic and administrative buildings,
21 dormitories, grounds, lifts and elevators, walkways, utilities
22 infrastructure, and other specialized equipment for students with
23 disabilities related to the facilities listed in this section, in a sum not
24 to exceed.....\$1,097,871.

26 SECTION 8. 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, 2012, the balance of the appropriation provided
32 in Item (A) Section 9 of Act 73 of 2011, for costs associated with General
33 Network Maintenance needed to secure the state's investment in technology, in
34 a sum not to exceed.....\$86,809.

35 (B) Effective July 1, 2012, the balance of the appropriation provided
36 in Item (A) Section 11 of Act 73 of 2011, for preventive and major

1 maintenance, routine and emergency equipment repairs, and equipment
2 replacement, in a sum not to exceed.....\$180,382.

3 (C) Effective July 1, 2012, the balance of the appropriation provided
4 in Item (A) Section 2 of Act 536 of 2011, for various maintenance,
5 renovation, equipping, construction, acquisition, improvement, upgrade, and
6 repair of real property and facilities, including grant matching, in a sum
7 not to exceed.....\$250,000.

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9 SECTION 9. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - GENERAL
10 IMPROVEMENT. There is hereby appropriated, to the Department of Education -
11 Educational Television Division, to be payable from the General Improvement
12 Fund or its successor fund or fund accounts, for the Department of Education
13 - Educational Television Division the following:

14 (A) Effective July 1, 2012, the balance of the appropriation provided
15 in Item (A) Section 8 of Act 73 of 2011, as amended by Act 691 of 2011, for
16 costs associated with the planning for a Northwest Communications Center and
17 implementing, equipping, maintenance and operating expenses of an AETN
18 satellite broadcasting site in Northwest Arkansas, in a sum not to
19 exceed.....\$99,904.

20 (B) Effective July 1, 2012, the balance of the appropriation provided
21 in Item (B) Section 8 of Act 73 of 2011, for costs associated with
22 implementing an AETN satellite broadcasting site in Northwest Arkansas and
23 for use by the University of Arkansas and AETN, in a sum not to exceed
24\$89,191.

25 (C) Effective July 1, 2012, the balance of the appropriation provided
26 in Item (C) Section 8 of Act 73 of 2011, for costs associated with general
27 network maintenance needed to secure the state's investment in technology and
28 to provide state matching for federal grants, in a sum not to exceed
29\$331,093.

30 (D) Effective July 1, 2012, the balance of the appropriation provided
31 in Item (A) Section 10 of Act 73 of 2011, for production, maintenance,
32 renovation, equipping, construction, acquisition, improvement, upgrade, and
33 repair projects for all state-owned real property and facilities, in a sum
34 not to exceed.....\$345,088.

35 (E) Effective July 1, 2012, the balance of the appropriation provided
36 in Item (A) Section 1 of Act 536 of 2011, for various maintenance,

1 renovation, equipping, construction, acquisition, improvement, upgrade, and
2 repair of real property and facilities, including grant matching, in a sum
3 not to exceed.....\$1,000,000.

4 (F) Effective July 1, 2012, the balance of the appropriation provided
5 in Item (A) Section 3 of Act 536 of 2011, for a transfer to the Educational
6 Television Fund Account, for personal services and operating expenses for the
7 "Honoring Arkansas' War Heroes - Documenting Stories of Arkansas' World War
8 II Veterans" documentation project of the Department of Education -
9 Educational Television Division, in a sum not to exceed.....\$260,000.

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11 SECTION 10. REAPPROPRIATION - STATE LIBRARY - ENCYCLOPEDIA OF ARKANSAS
12 HISTORY AND CULTURE PROJECT GRANT. There is hereby appropriated, to the
13 Department of Education - Arkansas State Library, to be payable from the
14 General Improvement Fund or its successor fund or fund accounts, for the
15 Department of Education - Arkansas State Library the following:

16 (A) Effective July 1, 2012, the balance of the appropriation provided
17 in Item (A) Section 1 of Act 488 of 2011, for a grant for personal services,
18 operating expenses, professional fees and purchase of equipment for the
19 Encyclopedia of Arkansas History and Culture Project, in a sum not to exceed
20\$120,000.

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22 SECTION 11. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
23 obligations otherwise incurred in relation to the project or projects
24 described herein in excess of the State Treasury funds actually available
25 therefor as provided by law. Provided, however, that institutions and
26 agencies listed herein shall have the authority to accept and use grants and
27 donations including Federal funds, and to use its unobligated cash income or
28 funds, or both available to it, for the purpose of supplementing the State
29 Treasury funds for financing the entire costs of the project or projects
30 enumerated herein. Provided further, that the appropriations and funds
31 otherwise provided by the General Assembly for Maintenance and General
32 Operations of the agency or institutions receiving appropriation herein shall
33 not be used for any of the purposes as appropriated in this act.

34 (B) The restrictions of any applicable provisions of the State
35 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
36 Revenue Stabilization Law and any other applicable fiscal control laws of

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

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

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15 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly, that the Constitution of the State of Arkansas prohibits
17 the appropriation of funds for more than a one (1) year period; that the
18 effectiveness of this Act on July 1, 2012 is essential to the operation of
19 the agency for which the appropriations in this Act are provided, and that in
20 the event of an extension of the legislative session, the delay in the
21 effective date of this Act beyond July 1, 2012 could work irreparable harm
22 upon the proper administration and provision of essential governmental
23 programs. Therefore, an emergency is hereby declared to exist and this Act
24 being necessary for the immediate preservation of the public peace, health
25 and safety shall be in full force and effect from and after July 1, 2012.