

State of Arkansas
88th General Assembly
Fiscal Session, 2012

A Bill

HOUSE BILL 1011

By: Joint Budget Committee

For An Act To Be Entitled

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

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION -
AND ITS VARIOUS DIVISIONS REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - DEPARTMENT OF EDUCATION - GENERAL
IMPROVEMENT. There is hereby appropriated, to the Department of Education,
to be payable from the General Improvement Fund or its successor fund or fund
accounts, for the Department of Education the following:

(A) Effective July 1, 2012, the balance of the appropriation provided
in Item (A) Section 1 of Act 73 of 2011, for grants to eligible public
schools for school recognition awards to be used for nonrecurring bonuses to
faculty and staff, nonrecurring expenditures for educational equipment or
materials or temporary school personnel by the Arkansas School Recognition
Program, in a sum not to exceed.....\$28,383.

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 8. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - FEDERAL FUNDS. There is hereby appropriated, to the Department of Education - Educational Television Division, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for the Department of Education - Educational Television Division the following:

(A) Effective July 1, 2012, the balance of the appropriation provided in Item (A) Section 9 of Act 73 of 2011, for costs associated with General Network Maintenance needed to secure the state's investment in technology, in a sum not to exceed.....\$86,809.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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