

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Fiscal Session, 2014

As Engrossed: H2/19/14
A Bill

HOUSE BILL 1007

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, 2014, the balance of the appropriation provided
in Item (A) Section 1 of Act 1382 of 2013, 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, 2014, the balance of the appropriation provided
in Item (B) Section 1 of Act 1382 of 2013, for grants for construction,
improvements, equipment, maintenance and operating costs for community
organizations where schools are in jeopardy of being closed or consolidated,
and for a grant to the Central Arkansas Economic Development District for



grants to school districts and for grants for after-school, literacy, and nutrition services for at-risk children and youth, in a sum not to exceed.....\$60,000.

(C) Effective July 1, 2014, the balance of the appropriation provided in Item (C) Section 1 of Act 1382 of 2013, for grants for after-school, literacy, and nutrition services for at-risk children and youth, in a sum not to exceed.....\$31,250.

(D) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 703 of 2013, for the payment of financial awards to public schools through the Arkansas School Recognition Program, in a sum not to exceed.....\$10,000,000.

(E) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 672 of 2013, for grants and personal services and operating expenses for empowering students in Arkansas to understand entrepreneurship and leverage broadband technologies to innovate and improve their economic and overall well being, in a sum not to exceed....\$89,000.

(F) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 383 of 2013, for grants for a pilot program to establish breakfast nutritional programs in public schools, in a sum not to exceed.....\$1,000,000.

(G) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 688 of 2013, for grants to institutes that re-imagine education in traditional public schools for personal services and operating expenses, equipment and maintenance expenses, in a sum not to exceed.....\$25,000.

(H) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 396 of 2013, for grants to programs affiliated with the National Math and Science Initiative for personal services and operating expenses, technology, materials and any other resources needed to support and enhance the Advanced Placement Training and Incentive Program, in a sum not to exceed.....\$900,000.

(I) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 829 of 2013, for grants to school districts in fiscal distress for personal services and operating expenses, construction, *improvements, equipment, renovation and maintenance expenses, and for a grant to the West Central Arkansas Economic Development District for grants for*

educational purposes, in a sum not to exceed.....\$80,000.

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, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 439 of 2013, for renovation and repairs to the existing Department of Education Capitol Complex facilities, in a sum not to exceed.....\$2,790,787.

SECTION 3. REAPPROPRIATION - DIVISION OF PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION - GENERAL IMPROVEMENT. 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, 2014, the balance of the appropriation provided in Item (A) Section 2 of Act 1382 of 2013, 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.

(B) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 256 of 2013, for transfer to the Educational Facilities Partnership Fund Account for use in programs of the Division of Public School Academic Facilities and Transportation, in a sum not to exceed\$25,000,000.

(C) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 2 of Act 1246 of 2013, for grants for the STEM Initiative for Curriculum and Instruction, in a sum not to exceed.....\$500,000.

(D) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 255 of 2013, for grants to existing high performance open enrollment public charter schools with a demonstrated record of academic success for construction, improvements, equipment, renovation and repairs of school owned academic facilities, in a sum not to exceed\$5,000,000.

(E) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 1228 of 2013, for a transfer to the Open Enrollment Public Charter School Capital Grant Program Fund to be used for grants for the repayment of debt incurred by an open enrollment public charter school for academic facilities or equipment, various maintenance, renovation, equipping, new construction, acquisition, improvement, upgrade and repair of real property and facilities and purchase of instructional materials, technology systems, and other academic equipment, in a sum not to exceed.....\$1,000,000.

(F) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 901 of 2013, for grants and personal services and operating expenses for a Compressed Natural Gas (CNG) School Bus Pilot Program, in a sum not to exceed.....\$5,000,000.

SECTION 4. REAPPROPRIATION - PROGRAMS OF THE DIVISION OF PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION. There is hereby appropriated, to the Department of Education - Division of Public School Academic Facilities and Transportation, to be payable from the Educational Facilities Partnership Fund Account, for the Department of Education - Division of Public School Academic Facilities and Transportation the following:

(A) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 2 of Act 256 of 2013, for grants and aid and special programs providing academic school facility and transportation assistance to public school districts, in a sum not to exceed.....\$25,000,000.

SECTION 5. REAPPROPRIATION - DPSAFT - OPEN ENROLLMENT PUBLIC CHARTER SCHOOL CAPITAL GRANT PROGRAM. There is hereby appropriated, to the Department of Education - Division of Public School Academic Facilities and Transportation, to be payable from the Open Enrollment Public Charter School Capital Grant Program Fund, for the Department of Education - Division of Public School Academic Facilities and Transportation the following:

(A) Effective July 1, 2014, the balance of the appropriation provided in Section 2 of Act 1228 of 2013, for grants for the repayment of debt incurred by an open enrollment public charter school for academic facilities or equipment, various maintenance, renovation, equipping, new construction, acquisition, improvement, upgrade and repair of real property and facilities

and purchase of instructional materials, technology systems, and other academic equipment, in a sum not to exceed.....\$1,000,000.

SECTION 6. 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, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 208 of 2013, for various maintenance, renovation, equipping, construction, acquisition, improvement, upgrade, and repair of real property and facilities, in a sum not to exceed\$2,000,000.

SECTION 7. 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, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 209 of 2013, for various maintenance, renovation, equipping, construction, acquisition, improvement, upgrade, and repair of real property and facilities, in a sum not to exceed\$4,700,000.

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, 2014, the balance of the appropriation provided in Item (A) Section 7 of Act 1382 of 2013, for costs associated with General Network Maintenance needed to secure the state's investment in technology, in a sum not to exceed.....\$76,802.

(B) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 2 of Act 257 of 2013, 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.....\$200,000.

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, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 257 of 2013, 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.....\$2,500,000.

(B) Effective July 1, 2014, the balance of the appropriation provided in Item (B) Section 1 of Act 257 of 2013, 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.

(C) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 822 of 2013, for construction, renovation, maintenance, critical maintenance, equipment, security enhancements, technology upgrades/equipment, acquisition, improvement, upgrade, and repair of real property and facilities, including grant matching, in a sum not to exceed.....\$1,000,000.

SECTION 10. REAPPROPRIATION - STATE LIBRARY - GENERAL IMPROVEMENT. 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, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 624 of 2013, 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.

(B) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 632 of 2013, for grants to public libraries for personal services and operating expenses, land acquisition, improvements, construction, renovation, major maintenance, and purchase of equipment, in a sum not to exceed.....\$500,000.

(C) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 702 of 2013, for grants to libraries for personal services and operating expenses, land acquisition, improvements, construction, renovation, major maintenance, purchase of equipment and supplies, in a sum not to exceed.....\$1,000,000.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. As referenced in Act 829 of 2013, Section 3(c) of Act 1518 of 2013 and Section 3(c) of Act 1519 of 2013, the authorized funding for the Department of Education for grants to school districts in fiscal distress for personal services and operating expenses, construction, improvements, equipment, renovation and maintenance expenses shall also be deemed for a grant to the West Central Arkansas Economic Development District for grants for educational purposes.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. As referenced in Act 644 of 2011, Section 3(c) of Act 1096 of 2011 and Section 3(c) of Act 1117 of 2011, the authorized funding for the Department of Education for grants for construction, improvements, equipment, maintenance and operating costs for community organizations where schools are in jeopardy of being closed or consolidated shall also be deemed for a grant to the Central Arkansas Economic Development District for grants to school districts and for grants for after-school, literacy, and nutrition services for at-risk children and youth.

SECTION 13. 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 14. 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 15. 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, 2014 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, 2014 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, 2014.

/s/Joint Budget Committee