

1 State of Arkansas  
2 84th General Assembly  
3 Second Extraordinary Session, 2003  
4

*As Engrossed: H12/19/03 H2/5/04*

Call Item 3

# A Bill

HOUSE BILL 1052

5 By: Representatives House, Bolin  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR ACQUIRING  
10 EQUIPMENT AND TELECOMMUNICATIONS SERVICES FOR  
11 DISTANCE LEARNING TWO-WAY INTERACTIVE TELEVISION  
12 FOR THE DEPARTMENT OF EDUCATION FOR THE BIENNIAL  
13 PERIOD ENDING JUNE 30, 2005; AND FOR OTHER  
14 PURPOSES.

## Subtitle

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18 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
19 DISTANCE LEARNING TWO-WAY INTERACTIVE  
20 TELEVISION GRANTS APPROPRIATION FOR THE  
21 2003-2005 BIENNIUM.  
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. APPROPRIATION - TWO-WAY INTERACTIVE TELEVISION GRANTS. There is  
27 hereby appropriated, to the Department of Education, to be payable from the  
28 Department of Education Public School Fund Account, for grants to education  
29 cooperatives for acquiring and or leasing equipment and telecommunications  
30 services, and operating expenses necessary for each school district to have  
31 two-way interactive television for distance learning education for the  
32 biennial period ending June 30, 2005, the following:  
33

ITEM	FISCAL YEARS	
	2003-2004	2004-2005
(01) CAPITAL EQUIP. DISTANCE LEARNING GRANTS	\$ 8,311,000	\$ 0



1	(02) DISTANCE LEARNING OPERATING GRANTS	<u>2,915,700</u>	<u>5,831,400</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 11,226,700</u>	<u>\$ 5,831,400</u>

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4 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 5 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYFORWARD.  
 6 Any unexpended balances of appropriation and funds authorized in Section 1 of  
 7 this Act remaining on June 30, 2004, shall be carried forward and made  
 8 available for the same purposes for the fiscal year ending June 30, 2005.

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10 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
 12 PROVISION. The appropriations authorized by this Act for Distance Learning  
 13 Capital Equipment Grants and Distance Learning Operating Grants shall be  
 14 funded exclusively from monies authorized for public school technology  
 15 purposes by the 84<sup>th</sup> General Assembly meeting in Second Extraordinary Session  
 16 as allocated by the Department of Education.

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18 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 19 CODE, NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
 20 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal  
 21 Officer of the State shall transfer on his or her books and those of the  
 22 Treasurer of State and the Auditor of the State the sum of ten million  
 23 dollars (\$10,000,000) from the Federal Fiscal Relief Fund to the Department  
 24 of Education Public School Fund Account for partial funding for Distance  
 25 Learning Capital Equipment Grants and Distance Learning Operating Grants.

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27 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 28 by this act shall be limited to the appropriation for such agency and funds  
 29 made available by law for the support of such appropriations; and the  
 30 restrictions of the State Purchasing Law, the General Accounting and  
 31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 32 Procedures and Restrictions Act, or their successors, and other fiscal  
 33 control laws of this State, where applicable, and regulations promulgated by  
 34 the Department of Finance and Administration, as authorized by law, shall be  
 35 strictly complied with in disbursement of said funds.

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

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10 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
11 Assembly, that the Constitution of the State of Arkansas prohibits the  
12 appropriation of funds for more than a two (2) year period; that the  
13 establishment of two-way interactive television for distance learning  
14 education is an educationally and cost effective approach to distance  
15 learning in Arkansas' small schools; that the effectiveness of this Act on  
16 the date of its passage and approval is essential to the operation of the  
17 agency for which the appropriations in this Act are provided, and that in the  
18 event of an extension of the Second Extraordinary Session of 2003, the delay  
19 in the effective date of this Act beyond the date of its passage and approval  
20 could work irreparable harm upon the proper administration and provision of  
21 essential governmental programs. Therefore, an emergency is hereby declared  
22 to exist and this Act being necessary for the immediate preservation of the  
23 public peace, health and safety shall be in full force and effect from and  
24 after the date of its passage and approval.

25 If the bill is neither approved nor vetoed by the Governor, it shall become  
26 effective on the expiration of the period of time during which the Governor  
27 may veto the bill. If the bill is vetoed by the Governor and the veto is  
28 overridden, it shall become effective on the date the last house overrides  
29 the veto.

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31 /s/ House, et al  
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