

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 428 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

As Engrossed: H2/2/05

A Bill

HOUSE BILL 1307

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
11 EDUCATION AND ITS VARIOUS DIVISIONS; AND FOR
12 OTHER PURPOSES.
13

Subtitle

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

28 (A) Effective July 1, 2005, the balance of the appropriation provided in
29 Item (A) of Section 1 of Act 780 of 2003, for state assistance to the
30 Crawford County Library System-Cedarville Branch for the acquisition of land,
31 acquisition or construction of a building, in a sum not to exceed ...\$83,697.
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33 (B) Effective July 1, 2005, the balance of the appropriation provided in
34 Item (A) of Section 1 of Act 781 of 2003, for state assistance to the
35 Mulberry Library for completion and equipping of a building, in a sum not to



1 exceed\$29,421.

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3 (C) Effective July 1, 2005, the balance of the appropriation provided in
4 Item (01) of Section 1 of Act 1070 of 2003, for Arkansas Digital Library
5 Development, in a sum not to exceed\$120,000.

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7 (D) Effective July 1, 2005, the balance of the appropriation provided in
8 Item (A) of Section 1 of Act 785 of 2003, for state aid to the Faulkner
9 County Library, in a sum not to exceed\$21,993.

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11 (E) Effective July 1, 2005, the balance of the appropriation provided in
12 Item (A) of Section 1 of Act 1014 of 2003, for a grant to the Springdale
13 Public Library for the purchase of books and reading materials, in a sum not
14 to exceed\$10,000.

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16 SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
17 appropriated, to the Department of Education - Arkansas School for the Deaf,
18 to be payable from the General Improvement Fund or its successor fund or fund
19 accounts, for the Department of Education - Arkansas School for the Deaf, the
20 following:

21 (A) Effective July 1, 2005, the balance of the appropriation provided in
22 Item (A) of Section 3 of Act 96 of 2003, for construction, renovation, major
23 maintenance and purchase of equipment for various capital projects or
24 facility improvements, in a sum not to exceed\$49,607.

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26 (B) Effective July 1, 2005, the balance of the appropriation provided in
27 Item (A) of Section 4 of Act 169 of 2003, for
28 maintenance/construction/equipping, in a sum not to exceed\$500,000.

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30 SECTION 3. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
31 appropriated, to the Department of Education - Arkansas School for the Blind,
32 to be payable from the General Improvement Fund or its successor fund or fund
33 accounts, for the Department of Education - Arkansas School for the Blind,
34 the following:

35 (A) Effective July 1, 2005, the balance of the appropriation provided in
36 Item (A) of Section 2 of Act 96 of 2003, for construction, renovation, major

1 maintenance and purchase of equipment for various capital projects or
2 facility improvements, in a sum not to exceed\$22,923.

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4 (B) Effective July 1, 2005, the balance of the appropriation provided in
5 Item (A) of Section 3 of Act 169 of 2003, for
6 maintenance/construction/equipping, in a sum not to exceed\$500,000.

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8 SECTION 4. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
9 appropriated, to the Department of Education - Educational Television
10 Division, to be payable from the General Improvement Fund or its successor
11 fund or fund accounts, for the Department of Education - Educational
12 Television Division, the following:

13 (A) Effective July 1, 2005, the balance of the appropriation provided in
14 Item (G) of Section 4 of Act 96 of 2003, for major maintenance, renovation,
15 repair, purchase of equipment and other costs associated with Phase I Digital
16 Conversion of the Network, in a sum not to exceed\$1,265,630.

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18 (B) Effective July 1, 2005, the balance of the appropriation provided in
19 Item (H) of Section 4 of Act 96 of 2003, for costs associated with the
20 planning for a Northwest Communications Center, in a sum not to exceed
21\$99,904.

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23 (C) Effective July 1, 2005, the balance of the appropriation provided in
24 Item (K) of Section 4 of Act 96 of 2003, for the construction of a building
25 for AETN satellite broadcasting and for use by the University of Arkansas and
26 other colleges and universities for broadcast journalism and
27 telecommunications, in a sum not to exceed\$143,792.

28
29 (D) Effective July 1, 2005, the balance of the appropriation provided in
30 Item (I) of Section 4 of Act 96 of 2003, for costs associated with the
31 infrastructure transition needed to complete the Digital Conversion of the
32 Network - Phase II, in a sum not to exceed\$1,405,190.

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34 (E) Effective July 1, 2005, the balance of the appropriation provided in
35 Section 2 of Act 62 of the First Extraordinary Session of 2003, for costs
36 associated with the infrastructure transition needed to complete the Digital

1 Conversion of the Network - Phase II, in a sum not to exceed.....\$1,050,000.

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3 (F) Effective July 1, 2005, the balance of the appropriation provided in
4 Item (A) of Section 2 of Act 169 of 2003, for costs associated with general
5 network maintenance needed to secure the state's investment in technology and
6 to provide state matching for federal grants, in a sum not to exceed
7\$500,000.

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9 (G) Effective July 1, 2005, the balance of the appropriation provided in
10 Item (E) of Section 4 of Act 96 of 2003, for general network maintenance, in
11 a sum not to exceed\$285,158.

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13 SECTION 5. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the
14 Department of Education - Educational Television Division, to be payable from
15 the federal funds as designated by the Chief Fiscal Officer of the State, for
16 the Department of Education - Educational Television Division, the following:

17 (A) Effective July 1, 2005, the balance of the appropriation provided in
18 Item (B) of Section 5 of Act 96 of 2003, for *major maintenance, renovation,*
19 *repair, purchase of equipment and other costs associated with Phase I Digital*
20 *Conversion of the Network*, in a sum not to exceed.....\$2,204,346.

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22 (B) Effective July 1, 2005, the balance of the appropriation provided in
23 Item (A) of Section 5 of Act 96 of 2003, for *general network maintenance*, in
24 a sum not to exceed\$794,316.

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26 (C) Effective July 1, 2005, the balance of the appropriation provided in
27 Item (A) of Section 5 of Act 169 of 2003, for *costs associated with General*
28 *Network Maintenance needed to secure the state's investment in technology*, in
29 a sum not to exceed\$1,000,000.

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31 SECTION 6. REAPPROPRIATION - GENERAL REVENUE. There is hereby
32 appropriated, to the Department of Education, to be payable from the
33 Department of Education Public School Fund Account, for the Department of
34 Education, the following:

35 (A) Effective July 1, 2005, the balance of the appropriation provided in
36 Item (01) of Section 1 of Act 96 of the Second Extraordinary Session of 2003,

1 for Capital Equipment Distance Learning Grants, in a sum not to exceed
2\$2,000,000.

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4 SECTION 7. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
5 obligations otherwise incurred in relation to the project or projects
6 described herein in excess of the State Treasury funds actually available
7 therefor as provided by law. Provided, however, that institutions and
8 agencies listed herein shall have the authority to accept and use grants and
9 donations including Federal funds, and to use its unobligated cash income or
10 funds, or both available to it, for the purpose of supplementing the State
11 Treasury funds for financing the entire costs of the project or projects
12 enumerated herein. Provided further, that the appropriations and funds
13 otherwise provided by the General Assembly for Maintenance and General
14 Operations of the agency or institutions receiving appropriation herein shall
15 not be used for any of the purposes as appropriated in this act.

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

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

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32 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
33 Assembly, that the Constitution of the State of Arkansas prohibits the
34 appropriation of funds for more than a two (2) year period; that previous
35 General Assemblies have provided appropriations for the projects provided or
36 enumerated in this act; that certain appropriations will expire before the

1 adjournment of the General Assembly; and that if such appropriations expire,
2 the projects and programs authorized herein will cease thereby depriving the
3 citizens of the State of the benefits to be derived from such projects.
4 Therefore, an emergency is hereby declared to exist and this Act being
5 necessary for the immediate preservation of the public peace, health and
6 safety shall be in full force and effect from and after the date of its
7 passage and approval. If the bill is neither approved nor vetoed by the
8 Governor, it shall become effective on the expiration of the period of time
9 during which the Governor may veto the bill. If the bill is vetoed by the
10 Governor and the veto is overridden, it shall become effective on the date
11 the last house overrides the veto.

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/s/ Joint Budget Committee

APPROVED: 03/02/2005

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