

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 117 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1311

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.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REAPPROPRIATION - DEPARTMENT OF EDUCATION - ENHANCED COMMUNITY
24 GRANTS - LIBRARIES. There is hereby appropriated, to the Department of
25 Education, to be payable from the General Improvement Fund or its successor
26 fund or fund accounts, for the Department of Education, the following:

27 (A) Effective July 1, 2009, the balance of the appropriation provided in
28 Item (A) of Section 1 of Act 1630 of 2007, for Enhanced Community Grants for
29 Libraries, in a sum not to exceed\$20,000.
30

31 SECTION 2. REAPPROPRIATION - DEPARTMENT OF EDUCATION - AFTER SCHOOL
32 PROGRAMS. There is hereby appropriated, to the Department of Education, to be
33 payable from the General Improvement Fund or its successor fund or fund
34 accounts, for the Department of Education, the following:

35 (A) Effective July 1, 2009, the balance of the appropriation provided in



1 Item (A) of Section 1 of Act 1519 of 2007, for state assistance to after-
2 school programs, in a sum not to exceed\$40,000.

3
4 SECTION 3. REAPPROPRIATION - DEPARTMENT OF EDUCATION - STATEWIDE LIBRARY
5 IMPROVEMENT GRANTS. There is hereby appropriated, to the Department of
6 Education, to be payable from the General Improvement Fund or its successor
7 fund or fund accounts, for the Department of Education, the following:

8 (A) Effective July 1, 2009, the balance of the appropriation provided in
9 Item (A) of Section 1 of Act 1729 of 2007, for Statewide Library Improvement
10 grants and assistance, in a sum not to exceed\$40,000.

11
12 SECTION 4. REAPPROPRIATION - DEPARTMENT OF EDUCATION - CONTINUING
13 EDUCATION DEPARTMENT. There is hereby appropriated, to the Department of
14 Education, to be payable from the General Improvement Fund or its successor
15 fund or fund accounts, for the Department of Education, the following:

16 (A) Effective July 1, 2009, the balance of the appropriation provided in
17 Item (A) of Section 1 of Act 1750 of 2007, for support of the Continuing
18 Education Department, in a sum not to exceed\$20,000.

19
20 SECTION 5. REAPPROPRIATION - SCHOOL FOR THE BLIND - VARIOUS PROJECTS.
21 There is hereby appropriated, to the Department of Education - Arkansas
22 School for the Blind, to be payable from the General Improvement Fund or its
23 successor fund or fund accounts, for the Department of Education - Arkansas
24 School for the Blind, the following:

25 (A) Effective July 1, 2009, the balance of the appropriation provided in
26 Item (A) of Section 1 of Act 1498 of 2007, for various maintenance,
27 renovation, equipping, construction, acquisition, improvement, upgrade and
28 repair projects for all state-owned real property and facilities, in a sum
29 not to exceed\$410,600.

30
31 SECTION 6. REAPPROPRIATION - ARKANSAS SCHOOL FOR THE DEAF - VARIOUS
32 PROJECTS. There is hereby appropriated, to the Department of Education -
33 Arkansas School for the Deaf, to be payable from the General Improvement Fund
34 or its successor fund or fund accounts, for the Department of Education -
35 Arkansas School for the Deaf, the following:

36 (A) Effective July 1, 2009, the balance of the appropriation provided in

1 Item (A) of Section 1 of Act 1497 of 2007, for various maintenance,
2 renovation, equipping, construction, acquisition, improvement, upgrade and
3 repair projects for all state-owned real property and facilities, in a sum
4 not to exceed\$500,000.
5

6 SECTION 7. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION. There is
7 hereby appropriated, to the Department of Education - Educational Television
8 Division, to be payable from the General Improvement Fund or its successor
9 fund or fund accounts, for the Department of Education - Educational
10 Television Division, the following:

11 (A) Effective July 1, 2009, the balance of the appropriation provided in
12 Item (A) of Section 4 of Act 358 of 2007, for costs associated with the
13 planning for a Northwest Communications Center, in a sum not to exceed
14\$99,904.

15 (B) Effective July 1, 2009, the balance of the appropriation provided in
16 Item (B) of Section 4 of Act 358 of 2007, for the construction of a building
17 for AETN satellite broadcasting and for use by the University of Arkansas and
18 other colleges and universities for broadcast journalism and
19 telecommunications, in a sum not to exceed\$143,792.

20 (C) Effective July 1, 2009, the balance of the appropriation provided in
21 Item (D) of Section 4 of Act 358 of 2007, for costs associated with the
22 infrastructure transition needed to complete the Digital Conversion of the
23 Network - Phase II, in a sum not to exceed\$44,002.

24 (D) Effective July 1, 2009, the balance of the appropriation provided in
25 Item (E) of Section 4 of Act 358 of 2007, for costs associated with general
26 network maintenance needed to secure the state's investment in technology and
27 to provide state matching for federal grants, in a sum not to exceed
28\$460,871.

29 (E) Effective July 1, 2009, the balance of the appropriation provided in
30 Item (F) of Section 4 of Act 358 of 2007, for costs associated with the
31 Digital Conversion - Phase III, in a sum not to exceed\$322,490.
32

33 SECTION 8. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - GENERAL
34 NETWORK MAINTENANCE. There is hereby appropriated, to the Department of
35 Education - Educational Television Division, to be payable from the federal
36 funds as designated by the Chief Fiscal Officer of the State, for the

1 Department of Education - Educational Television Division, the following:

2 (A) Effective July 1, 2009, the balance of the appropriation provided in
3 Item (A) of Section 5 of Act 358 of 2007, for costs associated with General
4 Network Maintenance needed to secure the state's investment in technology, in
5 a sum not to exceed\$935,673.

6
7 SECTION 9. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION -
8 TECHNOLOGY/MAINTENANCE/OPERATIONS. There is hereby appropriated, to the
9 Department of Education - Educational Television Division, to be payable from
10 the General Improvement Fund or its successor fund or fund accounts, for the
11 Department of Education - Educational Television Division, the following:

12 (A) Effective July 1, 2009, the balance of the appropriation provided in
13 Item (A) of Section 1 of Act 1379 of 2007, for technology, maintenance and
14 operations expenses of the Arkansas Educational Television Network, in a sum
15 not to exceed\$2,837,197.

16
17 SECTION 10. REAPPROPRIATION - ARKANSAS STATE LIBRARY - DIGITAL LIBRARY
18 DEVELOPMENT. There is hereby appropriated, to the Department of Education -
19 Arkansas State Library, to be payable from the General Improvement Fund or
20 its successor fund or fund accounts, for the Department of Education -
21 Arkansas State Library, the following:

22 (A) Effective July 1, 2009, the balance of the appropriation provided in
23 Item (A) of Section 1 of Act 358 of 2007, for Arkansas Digital Library
24 Development, in a sum not to exceed\$113,864.

25
26 SECTION 11. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
27 obligations otherwise incurred in relation to the project or projects
28 described herein in excess of the State Treasury funds actually available
29 therefor as provided by law. Provided, however, that institutions and
30 agencies listed herein shall have the authority to accept and use grants and
31 donations including Federal funds, and to use its unobligated cash income or
32 funds, or both available to it, for the purpose of supplementing the State
33 Treasury funds for financing the entire costs of the project or projects
34 enumerated herein. Provided further, that the appropriations and funds
35 otherwise provided by the General Assembly for Maintenance and General
36 Operations of the agency or institutions receiving appropriation herein shall

1 not be used for any of the purposes as appropriated in this act.

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

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

17
 18 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
 19 Assembly, that the Constitution of the State of Arkansas prohibits the
 20 appropriation of funds for more than a one (1) year period; that the
 21 effectiveness of this Act on July 1, 2009 is essential to the operation of
 22 the agency for which the appropriations in this Act are provided, and that in
 23 the event of an extension of the Regular Session, the delay in the effective
 24 date of this Act beyond July 1, 2009 could work irreparable harm upon the
 25 proper administration and provision of essential governmental programs.
 26 Therefore, an emergency is hereby declared to exist and this Act being
 27 necessary for the immediate preservation of the public peace, health and
 28 safety shall be in full force and effect from and after July 1, 2009.

29
 30 **APPROVED: 2/12/2009**