

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H2/2/05
A Bill

HOUSE BILL 1307

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.
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Subtitle

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
36 exceed\$29,421.



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

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

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

SECTION 2. REAPPROPRIATION - 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, 2005, the balance of the appropriation provided in Item (A) of Section 3 of Act 96 of 2003, for construction, renovation, major maintenance and purchase of equipment for various capital projects or facility improvements, in a sum not to exceed\$49,607.

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

SECTION 3. REAPPROPRIATION - 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, 2005, the balance of the appropriation provided in Item (A) of Section 2 of Act 96 of 2003, for construction, renovation, major maintenance and purchase of equipment for various capital projects or

1 facility improvements, in a sum not to exceed\$22,923.

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

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

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

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

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

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

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33 (E) Effective July 1, 2005, the balance of the appropriation provided in
34 Section 2 of Act 62 of the First Extraordinary Session of 2003, for costs
35 associated with the infrastructure transition needed to complete the Digital
36 Conversion of the Network - Phase II, in a sum not to exceed.....\$1,050,000.

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(F) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 2 of Act 169 of 2003, 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\$500,000.

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

SECTION 5. REAPPROPRIATION - FEDERAL. 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, 2005, the balance of the appropriation provided in Item (B) of Section 5 of Act 96 of 2003, for *major maintenance, renovation, repair, purchase of equipment and other costs associated with Phase I Digital Conversion of the Network*, in a sum not to exceed.....\$2,204,346.

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

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

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

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (01) of Section 1 of Act 96 of the Second Extraordinary Session of 2003, for Capital Equipment Distance Learning Grants, in a sum not to exceed

1\$2,000,000.

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

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

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

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

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

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12 */s/ Joint Budget Committee*
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