

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 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

8
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 - 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.
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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
36 Item (A) of Section 1 of Act 1519 of 2007, for state assistance to after-



1 school programs, in a sum not to exceed\$40,000.

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

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

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

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

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

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

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

35 (A) Effective July 1, 2009, the balance of the appropriation provided in
36 Item (A) of Section 1 of Act 1497 of 2007, for various maintenance,

1 renovation, equipping, construction, acquisition, improvement, upgrade and
2 repair projects for all state-owned real property and facilities, in a sum
3 not to exceed\$500,000.
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5 SECTION 7. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION. There is
6 hereby appropriated, to the Department of Education - Educational Television
7 Division, to be payable from the General Improvement Fund or its successor
8 fund or fund accounts, for the Department of Education - Educational
9 Television Division, the following:

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

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

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

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

28 (E) Effective July 1, 2009, the balance of the appropriation provided in
29 Item (F) of Section 4 of Act 358 of 2007, for costs associated with the
30 Digital Conversion - Phase III, in a sum not to exceed\$322,490.
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32 SECTION 8. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - GENERAL
33 NETWORK MAINTENANCE. There is hereby appropriated, to the Department of
34 Education - Educational Television Division, to be payable from the federal
35 funds as designated by the Chief Fiscal Officer of the State, for the
36 Department of Education - Educational Television Division, the following:

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

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

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

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

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

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25 SECTION 11. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
26 obligations otherwise incurred in relation to the project or projects
27 described herein in excess of the State Treasury funds actually available
28 therefor as provided by law. Provided, however, that institutions and
29 agencies listed herein shall have the authority to accept and use grants and
30 donations including Federal funds, and to use its unobligated cash income or
31 funds, or both available to it, for the purpose of supplementing the State
32 Treasury funds for financing the entire costs of the project or projects
33 enumerated herein. Provided further, that the appropriations and funds
34 otherwise provided by the General Assembly for Maintenance and General
35 Operations of the agency or institutions receiving appropriation herein shall
36 not be used for any of the purposes as appropriated in this act.

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

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

16
 17 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
 18 Assembly, that the Constitution of the State of Arkansas prohibits the
 19 appropriation of funds for more than a one (1) year period; that the
 20 effectiveness of this Act on July 1, 2009 is essential to the operation of
 21 the agency for which the appropriations in this Act are provided, and that in
 22 the event of an extension of the Regular Session, the delay in the effective
 23 date of this Act beyond July 1, 2009 could work irreparable harm upon the
 24 proper administration and provision of essential governmental programs.
 25 Therefore, an emergency is hereby declared to exist and this Act being
 26 necessary for the immediate preservation of the public peace, health and
 27 safety shall be in full force and effect from and after July 1, 2009.