

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

# A Bill

HOUSE BILL 1011

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

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

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

25 (A) Effective July 1, 2012, the balance of the appropriation provided  
26 in Item (A) Section 1 of Act 73 of 2011, for grants to eligible public  
27 schools for school recognition awards to be used for nonrecurring bonuses to  
28 faculty and staff, nonrecurring expenditures for educational equipment or  
29 materials or temporary school personnel by the Arkansas School Recognition  
30 Program, in a sum not to exceed.....\$28,383.

31 (B) Effective July 1, 2012, the balance of the appropriation provided  
32 in Item (A) Section 1 of Act 644 of 2011, for grants for construction,  
33 improvements, equipment, maintenance and operating costs for community  
34 organizations where schools are in jeopardy of being closed or consolidated,  
35 in a sum not to exceed.....\$500,000.

36 (C) Effective July 1, 2012, the balance of the appropriation provided



1 in Item (A) Section 1 of Act 647 of 2011, for grants for after-school,  
2 literacy, and nutrition services for at-risk children and youth, in a sum not  
3 to exceed.....\$500,000.

4 (D) Effective July 1, 2012, the balance of the appropriation provided  
5 in Item (A) Section 1 of Act 545 of 2011, for loan payments to the Teacher  
6 Retirement System for the statewide public school computer system, in a sum  
7 not to exceed.....\$2,900,312.

8 (E) Effective July 1, 2012, the balance of the appropriation provided  
9 in Item (B) Section 1 of Act 545 of 2011, for grants to provide matching  
10 funds for the National Math and Science Initiative grant to be used for  
11 operations, teacher professional development, incentives for teachers and  
12 students, student study sessions, equipment to schools and teacher stipends,  
13 in a sum not to exceed.....\$3,046,092.

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15 SECTION 2. REAPPROPRIATION - TRUST FUND - RENOVATION AND REPAIRS.

16 There is hereby appropriated, to the Department of Education, to be payable  
17 from the Educational Buildings Maintenance Fund, for the Department of  
18 Education the following:

19 (A) Effective July 1, 2012, the balance of the appropriation provided  
20 in Item (A) Section 2 of Act 545 of 2011, for renovation and repairs to the  
21 existing Department of Education Capitol Complex facilities, in a sum not to  
22 exceed.....\$3,000,000.

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24 SECTION 3. REAPPROPRIATION - DIVISION OF PUBLIC SCHOOL ACADEMIC  
25 FACILITIES AND TRANSPORTATION - SCHOOL BUS SAFETY. There is hereby  
26 appropriated, to the Department of Education - Division of Public School  
27 Academic Facilities and Transportation, to be payable from the General  
28 Improvement Fund or its successor fund or fund accounts, for the Department  
29 of Education - Division of Public School Academic Facilities and  
30 Transportation the following:

31 (A) Effective July 1, 2012, the balance of the appropriation provided  
32 in Item (A) Section 2 of Act 73 of 2011, for personal services, operating  
33 expenses, and purchase of equipment for a School Bus Safety Equipment Grant  
34 Pilot Program, in a sum not to exceed.....\$35,934.

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36 SECTION 4. REAPPROPRIATION - SCHOOL FOR THE BLIND - FEDERAL FUNDS.

1 There is hereby appropriated, to the Department of Education - Arkansas  
2 School for the Blind, to be payable from the federal funds as designated by  
3 the Chief Fiscal Officer of the State, for the Department of Education -  
4 Arkansas School for the Blind the following:

5 (A) Effective July 1, 2012, the balance of the appropriation provided  
6 in Item (A) Section 4 of Act 73 of 2011, for maintenance, renovation,  
7 equipping, construction, acquisition, improvement, upgrade and repair  
8 projects for all state-owned real property and facilities, which means the  
9 physical plant and related areas owned or operated by the Arkansas School for  
10 the Blind including without limitation academic and administrative buildings,  
11 dormitories, grounds, lifts and elevators, walkways, utilities  
12 infrastructure, and other specialized equipment for students with  
13 disabilities related to the facilities listed in this section, in a sum not  
14 to exceed.....\$1,285,907.  
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16 SECTION 5. REAPPROPRIATION - SCHOOL FOR THE BLIND - GENERAL

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

21 (A) Effective July 1, 2012, the balance of the appropriation provided  
22 in Item (A) Section 1 of Act 313 of 2011, for various maintenance,  
23 renovation, equipping, construction, acquisition, improvement, upgrade, and  
24 repair of real property and facilities, in a sum not to exceed  
25 .....\$500,000.  
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27 SECTION 6. REAPPROPRIATION - SCHOOL FOR THE DEAF - GENERAL IMPROVEMENT.

28 There is hereby appropriated, to the Department of Education - Arkansas  
29 School for the Deaf, to be payable from the General Improvement Fund or its  
30 successor fund or fund accounts, for the Department of Education - Arkansas  
31 School for the Deaf the following:

32 (A) Effective July 1, 2012, the balance of the appropriation provided  
33 in Item (A) Section 1 of Act 310 of 2011, for replacement of the existing  
34 electrical system at the Arkansas School for the Deaf, in a sum not to exceed  
35 .....\$557,524.

36 (B) Effective July 1, 2012, the balance of the appropriation provided

1 in Item (B) Section 1 of Act 310 of 2011, for various maintenance,  
2 renovation, equipping, construction, acquisition, improvement, upgrade, and  
3 repair of real property and facilities, in a sum not to exceed  
4 .....\$500,000.

6 SECTION 7. REAPPROPRIATION - SCHOOL FOR THE DEAF - FEDERAL FUNDS.

7 There is hereby appropriated, to the Department of Education - Arkansas  
8 School for the Deaf, to be payable from the federal funds as designated by  
9 the Chief Fiscal Officer of the State, for the Department of Education -  
10 Arkansas School for the Deaf the following:

11 (A) Effective July 1, 2012, the balance of the appropriation provided  
12 in Item (A) Section 2 of Act 310 of 2011, for replacement of the existing  
13 electrical system at the Arkansas School for the Deaf, in a sum not to exceed  
14 .....\$823,200.

15 (B) Effective July 1, 2012, the balance of the appropriation provided  
16 in Item (A) Section 7 of Act 73 of 2011, for maintenance, renovation,  
17 equipping, construction, acquisition, improvement, upgrade and repair  
18 projects for all state-owned real property and facilities, which means the  
19 physical plant and related areas owned or operated by the Arkansas School for  
20 the Deaf including without limitation academic and administrative buildings,  
21 dormitories, grounds, lifts and elevators, walkways, utilities  
22 infrastructure, and other specialized equipment for students with  
23 disabilities related to the facilities listed in this section, in a sum not  
24 to exceed.....\$1,097,871.

26 SECTION 8. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - FEDERAL

27 FUNDS. There is hereby appropriated, to the Department of Education -  
28 Educational Television Division, to be payable from the federal funds as  
29 designated by the Chief Fiscal Officer of the State, for the Department of  
30 Education - Educational Television Division the following:

31 (A) Effective July 1, 2012, the balance of the appropriation provided  
32 in Item (A) Section 9 of Act 73 of 2011, for costs associated with General  
33 Network Maintenance needed to secure the state's investment in technology, in  
34 a sum not to exceed.....\$86,809.

35 (B) Effective July 1, 2012, the balance of the appropriation provided  
36 in Item (A) Section 11 of Act 73 of 2011, for preventive and major

1 maintenance, routine and emergency equipment repairs, and equipment  
2 replacement, in a sum not to exceed.....\$180,382.

3 (C) Effective July 1, 2012, the balance of the appropriation provided  
4 in Item (A) Section 2 of Act 536 of 2011, for various maintenance,  
5 renovation, equipping, construction, acquisition, improvement, upgrade, and  
6 repair of real property and facilities, including grant matching, in a sum  
7 not to exceed.....\$250,000.

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

14 (A) Effective July 1, 2012, the balance of the appropriation provided  
15 in Item (A) Section 8 of Act 73 of 2011, as amended by Act 691 of 2011, for  
16 costs associated with the planning for a Northwest Communications Center and  
17 implementing, equipping, maintenance and operating expenses of an AETN  
18 satellite broadcasting site in Northwest Arkansas, in a sum not to  
19 exceed.....\$99,904.

20 (B) Effective July 1, 2012, the balance of the appropriation provided  
21 in Item (B) Section 8 of Act 73 of 2011, for costs associated with  
22 implementing an AETN satellite broadcasting site in Northwest Arkansas and  
23 for use by the University of Arkansas and AETN, in a sum not to exceed  
24 .....\$89,191.

25 (C) Effective July 1, 2012, the balance of the appropriation provided  
26 in Item (C) Section 8 of Act 73 of 2011, for costs associated with general  
27 network maintenance needed to secure the state's investment in technology and  
28 to provide state matching for federal grants, in a sum not to exceed  
29 .....\$331,093.

30 (D) Effective July 1, 2012, the balance of the appropriation provided  
31 in Item (A) Section 10 of Act 73 of 2011, for production, maintenance,  
32 renovation, equipping, construction, acquisition, improvement, upgrade, and  
33 repair projects for all state-owned real property and facilities, in a sum  
34 not to exceed.....\$345,088.

35 (E) Effective July 1, 2012, the balance of the appropriation provided  
36 in Item (A) Section 1 of Act 536 of 2011, for various maintenance,

1 renovation, equipping, construction, acquisition, improvement, upgrade, and  
2 repair of real property and facilities, including grant matching, in a sum  
3 not to exceed.....\$1,000,000.

4 (F) Effective July 1, 2012, the balance of the appropriation provided  
5 in Item (A) Section 3 of Act 536 of 2011, for a transfer to the Educational  
6 Television Fund Account, for personal services and operating expenses for the  
7 "Honoring Arkansas' War Heroes - Documenting Stories of Arkansas' World War  
8 II Veterans" documentation project of the Department of Education -  
9 Educational Television Division, in a sum not to exceed.....\$260,000.

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11 SECTION 10. REAPPROPRIATION - STATE LIBRARY - ENCYCLOPEDIA OF ARKANSAS  
12 HISTORY AND CULTURE PROJECT GRANT. There is hereby appropriated, to the  
13 Department of Education - Arkansas State Library, to be payable from the  
14 General Improvement Fund or its successor fund or fund accounts, for the  
15 Department of Education - Arkansas State Library the following:

16 (A) Effective July 1, 2012, the balance of the appropriation provided  
17 in Item (A) Section 1 of Act 488 of 2011, for a grant for personal services,  
18 operating expenses, professional fees and purchase of equipment for the  
19 Encyclopedia of Arkansas History and Culture Project, in a sum not to exceed  
20 .....\$120,000.

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

34 (B) The restrictions of any applicable provisions of the State  
35 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
36 Revenue Stabilization Law and any other applicable fiscal control laws of

1 this State and regulations promulgated by the Department of Finance and  
2 Administration, as authorized by law, shall be strictly complied with in  
3 disbursement of any funds provided by this act unless specifically provided  
4 otherwise by law.

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

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15 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the  
16 General Assembly, that the Constitution of the State of Arkansas prohibits  
17 the appropriation of funds for more than a one (1) year period; that the  
18 effectiveness of this Act on July 1, 2012 is essential to the operation of  
19 the agency for which the appropriations in this Act are provided, and that in  
20 the event of an extension of the legislative session, the delay in the  
21 effective date of this Act beyond July 1, 2012 could work irreparable harm  
22 upon the proper administration and provision of essential governmental  
23 programs. Therefore, an emergency is hereby declared to exist and this Act  
24 being necessary for the immediate preservation of the public peace, health  
25 and safety shall be in full force and effect from and after July 1, 2012.