

1 State of Arkansas
2 89th General Assembly
3 Fiscal Session, 2014
4

As Engrossed: H2/19/14

A Bill

HOUSE BILL 1007

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 OTHER
11 PURPOSES.
12
13

Subtitle

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

26 (A) Effective July 1, 2014, the balance of the appropriation provided
27 in Item (A) Section 1 of Act 1382 of 2013, for grants to eligible public
28 schools for school recognition awards to be used for nonrecurring bonuses to
29 faculty and staff, nonrecurring expenditures for educational equipment or
30 materials or temporary school personnel by the Arkansas School Recognition
31 Program, in a sum not to exceed.....\$28,383.

32 (B) Effective July 1, 2014, the balance of the appropriation provided
33 in Item (B) Section 1 of Act 1382 of 2013, for grants for construction,
34 improvements, equipment, maintenance and operating costs for community
35 organizations where schools are in jeopardy of being closed or consolidated,
36 *and for a grant to the Central Arkansas Economic Development District for*



1 *grants to school districts and for grants for after-school, literacy, and*
2 *nutrition services for at-risk children and youth, in a sum not to*
3 *exceed.....\$60,000.*

4 (C) Effective July 1, 2014, the balance of the appropriation provided
5 in Item (C) Section 1 of Act 1382 of 2013, for grants for after-school,
6 literacy, and nutrition services for at-risk children and youth, in a sum not
7 to exceed.....\$31,250.

8 (D) Effective July 1, 2014, the balance of the appropriation provided
9 in Item (A) Section 1 of Act 703 of 2013, for the payment of financial awards
10 to public schools through the Arkansas School Recognition Program, in a sum
11 not to exceed.....\$10,000,000.

12 (E) Effective July 1, 2014, the balance of the appropriation provided
13 in Item (A) Section 1 of Act 672 of 2013, for grants and personal services
14 and operating expenses for empowering students in Arkansas to understand
15 entrepreneurship and leverage broadband technologies to innovate and improve
16 their economic and overall well being, in a sum not to exceed....\$89,000.

17 (F) Effective July 1, 2014, the balance of the appropriation provided
18 in Item (A) Section 1 of Act 383 of 2013, for grants for a pilot program to
19 establish breakfast nutritional programs in public schools, in a sum not to
20 exceed.....\$1,000,000.

21 (G) Effective July 1, 2014, the balance of the appropriation provided
22 in Item (A) Section 1 of Act 688 of 2013, for grants to institutes that re-
23 imagine education in traditional public schools for personal services and
24 operating expenses, equipment and maintenance expenses, in a sum not to
25 exceed.....\$25,000.

26 (H) Effective July 1, 2014, the balance of the appropriation provided
27 in Item (A) Section 1 of Act 396 of 2013, for grants to programs affiliated
28 with the National Math and Science Initiative for personal services and
29 operating expenses, technology, materials and any other resources needed to
30 support and enhance the Advanced Placement Training and Incentive Program, in
31 a sum not to exceed.....\$900,000.

32 (I) Effective July 1, 2014, the balance of the appropriation provided
33 in Item (A) Section 1 of Act 829 of 2013, for grants to school districts in
34 fiscal distress for personal services and operating expenses, construction,
35 *improvements, equipment, renovation and maintenance expenses, and for a grant*
36 *to the West Central Arkansas Economic Development District for grants for*

1 *educational purposes, in a sum not to exceed.....\$80,000.*

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

4 There is hereby appropriated, to the Department of Education, to be payable
5 from the Educational Buildings Maintenance Fund, for the Department of
6 Education the following:

7 (A) Effective July 1, 2014, the balance of the appropriation provided
8 in Item (A) Section 1 of Act 439 of 2013, for renovation and repairs to the
9 existing Department of Education Capitol Complex facilities, in a sum not to
10 exceed.....\$2,790,787.

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12 SECTION 3. REAPPROPRIATION - DIVISION OF PUBLIC SCHOOL ACADEMIC
13 FACILITIES AND TRANSPORTATION - GENERAL IMPROVEMENT. There is hereby
14 appropriated, to the Department of Education - Division of Public School
15 Academic Facilities and Transportation, to be payable from the General
16 Improvement Fund or its successor fund or fund accounts, for the Department
17 of Education - Division of Public School Academic Facilities and
18 Transportation the following:

19 (A) Effective July 1, 2014, the balance of the appropriation provided
20 in Item (A) Section 2 of Act 1382 of 2013, for personal services, operating
21 expenses, and purchase of equipment for a School Bus Safety Equipment Grant
22 Pilot Program, in a sum not to exceed.....\$35,934.

23 (B) Effective July 1, 2014, the balance of the appropriation provided
24 in Item (A) Section 1 of Act 256 of 2013, for transfer to the Educational
25 Facilities Partnership Fund Account for use in programs of the Division of
26 Public School Academic Facilities and Transportation, in a sum not to exceed
27\$25,000,000.

28 (C) Effective July 1, 2014, the balance of the appropriation provided
29 in Item (A) Section 2 of Act 1246 of 2013, for grants for the STEM Initiative
30 for Curriculum and Instruction, in a sum not to exceed.....\$500,000.

31 (D) Effective July 1, 2014, the balance of the appropriation provided
32 in Item (A) Section 1 of Act 255 of 2013, for grants to existing high
33 performance open enrollment public charter schools with a demonstrated record
34 of academic success for construction, improvements, equipment, renovation and
35 repairs of school owned academic facilities, in a sum not to exceed
36\$5,000,000.

1 (E) Effective July 1, 2014, the balance of the appropriation provided
 2 in Item (A) Section 1 of Act 1228 of 2013, for a transfer to the Open
 3 Enrollment Public Charter School Capital Grant Program Fund to be used for
 4 grants for the repayment of debt incurred by an open enrollment public
 5 charter school for academic facilities or equipment, various maintenance,
 6 renovation, equipping, new construction, acquisition, improvement, upgrade
 7 and repair of real property and facilities and purchase of instructional
 8 materials, technology systems, and other academic equipment, in a sum not to
 9 exceed.....\$1,000,000.

10 (F) Effective July 1, 2014, the balance of the appropriation provided
 11 in Item (A) Section 1 of Act 901 of 2013, for grants and personal services
 12 and operating expenses for a Compressed Natural Gas (CNG) School Bus Pilot
 13 Program, in a sum not to exceed.....\$5,000,000.
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15 SECTION 4. REAPPROPRIATION - PROGRAMS OF THE DIVISION OF PUBLIC SCHOOL
 16 ACADEMIC FACILITIES AND TRANSPORTATION. There is hereby appropriated, to the
 17 Department of Education - Division of Public School Academic Facilities and
 18 Transportation, to be payable from the Educational Facilities Partnership
 19 Fund Account, for the Department of Education - Division of Public School
 20 Academic Facilities and Transportation the following:

21 (A) Effective July 1, 2014, the balance of the appropriation provided
 22 in Item (A) Section 2 of Act 256 of 2013, for grants and aid and special
 23 programs providing academic school facility and transportation assistance to
 24 public school districts, in a sum not to exceed.....\$25,000,000.
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26 SECTION 5. REAPPROPRIATION - DPSAFT - OPEN ENROLLMENT PUBLIC CHARTER
 27 SCHOOL CAPITAL GRANT PROGRAM. There is hereby appropriated, to the
 28 Department of Education - Division of Public School Academic Facilities and
 29 Transportation, to be payable from the Open Enrollment Public Charter School
 30 Capital Grant Program Fund, for the Department of Education - Division of
 31 Public School Academic Facilities and Transportation the following:

32 (A) Effective July 1, 2014, the balance of the appropriation provided
 33 in Section 2 of Act 1228 of 2013, for grants for the repayment of debt
 34 incurred by an open enrollment public charter school for academic facilities
 35 or equipment, various maintenance, renovation, equipping, new construction,
 36 acquisition, improvement, upgrade and repair of real property and facilities

1 and purchase of instructional materials, technology systems, and other
2 academic equipment, in a sum not to exceed.....\$1,000,000.

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4 SECTION 6. REAPPROPRIATION - SCHOOL FOR THE BLIND - GENERAL

5 IMPROVEMENT. There is hereby appropriated, to the Department of Education -
6 Arkansas School for the Blind, to be payable from the General Improvement
7 Fund or its successor fund or fund accounts, for the Department of Education
8 - Arkansas School for the Blind the following:

9 (A) Effective July 1, 2014, the balance of the appropriation provided
10 in Item (A) Section 1 of Act 208 of 2013, for various maintenance,
11 renovation, equipping, construction, acquisition, improvement, upgrade, and
12 repair of real property and facilities, in a sum not to exceed
13\$2,000,000.
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15 SECTION 7. REAPPROPRIATION - SCHOOL FOR THE DEAF - GENERAL IMPROVEMENT.

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

20 (A) Effective July 1, 2014, the balance of the appropriation provided
21 in Item (A) Section 1 of Act 209 of 2013, for various maintenance,
22 renovation, equipping, construction, acquisition, improvement, upgrade, and
23 repair of real property and facilities, in a sum not to exceed
24\$4,700,000.
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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, 2014, the balance of the appropriation provided
32 in Item (A) Section 7 of Act 1382 of 2013, for costs associated with General
33 Network Maintenance needed to secure the state's investment in technology, in
34 a sum not to exceed.....\$76,802.

35 (B) Effective July 1, 2014, the balance of the appropriation provided
36 in Item (A) Section 2 of Act 257 of 2013, 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.....\$200,000.
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5 SECTION 9. REAPPROPRIATION - EDUCATIONAL TELEVISION DIVISION - GENERAL
6 IMPROVEMENT. There is hereby appropriated, to the Department of Education -
7 Educational Television Division, to be payable from the General Improvement
8 Fund or its successor fund or fund accounts, for the Department of Education
9 - Educational Television Division the following:

10 (A) Effective July 1, 2014, the balance of the appropriation provided
11 in Item (A) Section 1 of Act 257 of 2013, for various maintenance,
12 renovation, equipping, construction, acquisition, improvement, upgrade, and
13 repair of real property and facilities, including grant matching, in a sum
14 not to exceed.....\$2,500,000.

15 (B) Effective July 1, 2014, the balance of the appropriation provided
16 in Item (B) Section 1 of Act 257 of 2013, for a transfer to the Educational
17 Television Fund Account, for personal services and operating expenses for the
18 "Honoring Arkansas' War Heroes - Documenting Stories of Arkansas' World War
19 II Veterans" documentation project of the Department of Education -
20 Educational Television Division, in a sum not to exceed.....\$260,000.

21 (C) Effective July 1, 2014, the balance of the appropriation provided
22 in Item (A) Section 1 of Act 822 of 2013, for construction, renovation,
23 maintenance, critical maintenance, equipment, security enhancements,
24 technology upgrades/equipment, acquisition, improvement, upgrade, and repair
25 of real property and facilities, including grant matching, in a sum not to
26 exceed.....\$1,000,000.
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28 SECTION 10. REAPPROPRIATION - STATE LIBRARY - GENERAL IMPROVEMENT.
29 There is hereby appropriated, to the Department of Education - Arkansas State
30 Library, to be payable from the General Improvement Fund or its successor
31 fund or fund accounts, for the Department of Education - Arkansas State
32 Library the following:

33 (A) Effective July 1, 2014, the balance of the appropriation provided
34 in Item (A) Section 1 of Act 624 of 2013, for a grant for personal services,
35 operating expenses, professional fees and purchase of equipment for the
36 Encyclopedia of Arkansas History and Culture Project, in a sum not to exceed

.....\$120,000.

(B) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 632 of 2013, for grants to public libraries for personal services and operating expenses, land acquisition, improvements, construction, renovation, major maintenance, and purchase of equipment, in a sum not to exceed.....\$500,000.

(C) Effective July 1, 2014, the balance of the appropriation provided in Item (A) Section 1 of Act 702 of 2013, for grants to libraries for personal services and operating expenses, land acquisition, improvements, construction, renovation, major maintenance, purchase of equipment and supplies, in a sum not to exceed.....\$1,000,000.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. As referenced in Act 829 of 2013, Section 3(c) of Act 1518 of 2013 and Section 3(c) of Act 1519 of 2013, the authorized funding for the Department of Education for grants to school districts in fiscal distress for personal services and operating expenses, construction, improvements, equipment, renovation and maintenance expenses shall also be deemed for a grant to the West Central Arkansas Economic Development District for grants for educational purposes.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. As referenced in Act 644 of 2011, Section 3(c) of Act 1096 of 2011 and Section 3(c) of Act 1117 of 2011, the authorized funding for the Department of Education for grants for construction, improvements, equipment, maintenance and operating costs for community organizations where schools are in jeopardy of being closed or consolidated shall also be deemed for a grant to the Central Arkansas Economic Development District for grants to school districts and for grants for after-school, literacy, and nutrition services for at-risk children and youth.

SECTION 13. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available

1 therefor as provided by law. Provided, however, that institutions and
2 agencies listed herein shall have the authority to accept and use grants and
3 donations including Federal funds, and to use its unobligated cash income or
4 funds, or both available to it, for the purpose of supplementing the State
5 Treasury funds for financing the entire costs of the project or projects
6 enumerated herein. Provided further, that the appropriations and funds
7 otherwise provided by the General Assembly for Maintenance and General
8 Operations of the agency or institutions receiving appropriation herein shall
9 not be used for any of the purposes as appropriated in this act.

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

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

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26 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
27 General Assembly, that the Constitution of the State of Arkansas prohibits
28 the appropriation of funds for more than a one (1) year period; that the
29 effectiveness of this Act on July 1, 2014 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the legislative session, the delay in the
32 effective date of this Act beyond July 1, 2014 could work irreparable harm
33 upon the proper administration and provision of essential governmental
34 programs. Therefore, an emergency is hereby declared to exist and this Act
35 being necessary for the immediate preservation of the public peace, health
36 and safety shall be in full force and effect from and after July 1, 2014.

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/s/Joint Budget Committee