

Stricken language will be deleted and underlined language will be added.  
Act 297 of the Fiscal Session

1 State of Arkansas *As Engrossed: S2/25/14 S3/6/14*

2 89th General Assembly

# A Bill

3 Fiscal Session, 2014

SENATE BILL 145

4

5 By: Joint Budget Committee

6

7

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF  
10 EDUCATION - DIVISION OF PUBLIC SCHOOL ACADEMIC  
11 FACILITIES AND TRANSPORTATION WHICH SHALL BE  
12 SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS  
13 APPROPRIATED BY ACT 1400 OF 2013; AND FOR OTHER  
14 PURPOSES.

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## Subtitle

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

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SECTION 1. APPROPRIATION - OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL FACILITIES LOAN PROGRAM. There is hereby appropriated, to the Department of Education - Division of Public School Academic Facilities and Transportation, to be payable from the Open-Enrollment Public Charter School Facilities Loan Fund, for distributing loans to open-enrollment public school charter schools for the purposes of construction, lease or purchase of an academic facility, the repair, improvement, or addition to an academic facility, and enhancing credit for financing purposes by the Department of Education - Division of Public School Academic Facilities and Transportation - Open-Enrollment Public Charter School Facilities Loan Program which shall be supplemental and in addition to those funds appropriated in Section 5 of Act 1400 of 2013, the



1 following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2013-2014</u>

5 (01) OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL	
6 FACILITIES LOANS	<u><u>\$5,000,000</u></u>

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8 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
10 TRANSFER - OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL FACILITIES LOANS.

11 Immediately upon the effective date of this Act, the Chief Fiscal officer of  
12 the State shall transfer on his or her books and those of the State Treasurer  
13 and the Auditor of the State the sum of *five million dollars (\$5,000,000)*  
14 from the unobligated funds in the General Improvement Fund to the Open-  
15 Enrollment Public Charter School Facilities Loan Fund Account to provide  
16 funds for distributing loans to open-enrollment public charter schools for  
17 the purposes of the construction, lease or purchase of an academic facility,  
18 the repair, improvement, or addition to an academic facility, and enhancing  
19 credit for financing purposes by the Department of Education - Division of  
20 Public School academic Facilities and Transportation - Open-Enrollment Public  
21 Charter School Facilities Loan Program.

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23 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
24 authorized by this act shall be limited to the appropriation for such agency  
25 and funds made available by law for the support of such appropriations; and  
26 the restrictions of the State Procurement Law, the General Accounting and  
27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
28 Procedures and Restrictions Act, or their successors, and other fiscal  
29 control laws of this State, where applicable, and regulations promulgated by  
30 the Department of Finance and Administration, as authorized by law, shall be  
31 strictly complied with in disbursement of said funds.

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33 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
34 Assembly that any funds disbursed under the authority of the appropriations  
35 contained in this act shall be in compliance with the stated reasons for  
36 which this act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget  
2 manuals prepared by the Department of Finance and Administration, letters, or  
3 summarized oral testimony in the official minutes of the Arkansas Legislative  
4 Council or Joint Budget Committee which relate to its passage and adoption.  
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6 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
7 Assembly, that funds provided by the General Assembly for the operations of  
8 the Department of Education - Division of Public School Academic Facilities  
9 and Transportation are, due to unforeseen circumstances, insufficient for the  
10 Department of Education - Division of Public School Academic Facilities and  
11 Transportation to continue to provide essential governmental services; that  
12 the provisions of this act will provide the necessary monies for the  
13 Department of Education - Division of Public School Academic Facilities and  
14 Transportation to continue such services; and that a delay in the effective  
15 date of this Act could work irreparable harm upon the proper administration  
16 and provision of essential governmental programs. Therefore, an emergency is  
17 hereby declared to exist and this Act being necessary for the immediate  
18 preservation of the public peace, health and safety shall be in full force  
19 and effect from and after the date of its passage and approval.

20 If the bill is neither approved nor vetoed by the Governor, it shall  
21 become effective on the expiration of the period of time during which the  
22 Governor may veto the bill. If the bill is vetoed by the Governor and the  
23 veto is overridden, it shall become effective on the date the last house  
24 overrides the veto.

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26 */s/Joint Budget Committee*

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29 **APPROVED: 03/13/2014**  
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