

Stricken language will be deleted and underlined language will be added.
Act 298 of the Fiscal Session

1 State of Arkansas As Engrossed: S3/4/14 S3/6/14

2 89th General Assembly **A Bill**

3 Fiscal Session, 2014 SENATE BILL 146

4

5 By: Joint Budget Committee

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7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO
9 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE
10 DEPARTMENT OF EDUCATION WHICH SHALL BE SUPPLEMENTAL
11 AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT
12 1309 OF 2013; AND FOR OTHER PURPOSES.

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15 **Subtitle**

16 AN ACT FOR THE DEPARTMENT OF EDUCATION -
17 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS
18 SUPPLEMENTAL APPROPRIATION.

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

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23 SECTION 1. APPROPRIATION - BROADBAND FACILITIES MATCHING GRANT PROGRAM.

24 There is hereby appropriated, to the Department of Education, to be payable
25 from the Department of Education Public School Fund Account, for matching
26 funds for the Broadband Facilities Matching Grant Program, for the fiscal
27 year ending June 30, 2014, the following:

28

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2013-2014</u>
31 (01) BROADBAND GRANTS STATE MATCH	<u>\$5,000,000</u>

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33 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BROADBAND
35 FACILITIES MATCHING GRANT PROGRAM - RESTRICTIONS AND MATCHING FUNDS. (i) The
36 appropriation in this Act for the Broadband Facilities Matching Grant Program



1 shall not be used for Arkansas Research and Education Optical Network (AREON)
2 or Middle Mile Connectivity.

3 (ii) The funds appropriated for state match for the Broadband
4 Facilities Matching Grant Program in this Act shall be paid on a one-to-one
5 state/local matching basis.

6 The provisions of this section shall be in effect only from July 1,
7 2013 through June 30, 2014.

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9 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
11 TRANSFER - BROADBAND FACILITIES MATCHING GRANT PROGRAM. Immediately upon the
12 effective date of this Act, the Chief Fiscal Officer of the State shall
13 transfer on his or her books and those of the State Treasurer and the Auditor
14 of the State the sum of five million dollars (\$5,000,000) from the
15 unobligated funds in the General Improvement Fund to the Department of
16 Education Public School Fund Account to provide matching funds for the
17 Broadband Facilities Matching Grant Program.

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19 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Any
21 unexpended balance of monies allocated for the Broadband Facilities Matching
22 Grant Program remaining on June 30, 2014, in the Department of Education
23 Public School Fund Account shall be designated and retained for the Broadband
24 Facilities Matching Grant Program.

25 Any carry forward of unexpended balance of funding as authorized herein, may
26 be carried forward under the following conditions:

27 (1) Prior to June 30, 2014 the Agency shall by written statement set
28 forth its reason(s) for the need to carry forward said funding to the
29 Department of Finance and Administration Office of Budget;

30 (2) The Department of Finance and Administration Office of Budget shall
31 report to the Arkansas Legislative Council all amounts carried forward by the
32 September Arkansas Legislative Council or Joint Budget Committee meeting
33 which report shall include the name of the Agency, Board, Commission or
34 Institution and the amount of the funding carried forward, the program name
35 or line item, the funding source of that appropriation and a copy of the
36 written request set forth in item (1) above;

1 (3) Each Agency, Board, Commission or Institution shall provide a
2 written report to the Arkansas Legislative Council or Joint Budget Committee
3 containing all information set forth in item (2) above, along with a written
4 statement as to the current status of the project, contract, purpose etc. for
5 which the carry forward was originally requested no later than thirty (30)
6 days prior to the time the Agency, Board, Commission or Institution presents
7 its budget request to the Arkansas Legislative Council/Joint Budget
8 Committee; and

9 (4) Thereupon, the Department of Finance and Administration shall
10 include all information obtained in item (3) above in the budget manuals
11 and/or a statement of non-compliance by the Agency, Board, Commission or
12 Institution.

13 The provisions of this section shall be in effect only from July 1,
14 2013 through June 30, 2014.

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16 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
17 authorized by this act shall be limited to the appropriation for such agency
18 and funds made available by law for the support of such appropriations; and
19 the restrictions of the State Procurement Law, the General Accounting and
20 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
21 Procedures and Restrictions Act, or their successors, and other fiscal
22 control laws of this State, where applicable, and regulations promulgated by
23 the Department of Finance and Administration, as authorized by law, shall be
24 strictly complied with in disbursement of said funds.

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

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35 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
36 Assembly, that funds provided by the General Assembly for the operations of

1 the Department of Education-Public School Fund are, due to unforeseen
2 circumstances, insufficient for the Department of Education-Public School
3 Fund to continue to provide essential governmental services; that the
4 provisions of this act will provide the necessary monies for the Department
5 of Education-Public School Fund to continue such services; and that a delay
6 in the effective date of this Act could work irreparable harm upon the proper
7 administration and provision of essential governmental programs. Therefore,
8 an emergency is hereby declared to exist and this Act being necessary for the
9 immediate preservation of the public peace, health and safety shall be in
10 full force and effect from and after the date of its passage and approval.

11 If the bill is neither approved nor vetoed by the Governor, it shall
12 become effective on the expiration of the period of time during which the
13 Governor may veto the bill. If the bill is vetoed by the Governor and the
14 veto is overridden, it shall become effective on the date the last house
15 overrides the veto.

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17 */s/Joint Budget Committee*
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20 **APPROVED: 03/13/2014**
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