



**STATE OF ARKANSAS**  
**MIKE BEEBE**  
**GOVERNOR**

January 16, 2014

Senator Larry Teague, Co-Chair  
Representative Duncan Baird, Co-Chair  
Joint Budget Committee  
Arkansas General Assembly  
State Capitol Building  
Little Rock, AR 72201

Dear Co-Chairs:

I respectfully request the introduction of the attached supplemental appropriation bill for FY2014 for the Arkansas Department of Education as a Joint Budget Committee Bill.

This bill provides supplemental appropriation to the Department of Education – Division of Public School Academic Facilities and Transportation Open-Enrollment Public Charter School Facilities Loan Fund to provide short-term loans to open-enrollment public charter schools. This program would be funded through a one-time transfer from the unobligated balances in the General Improvement Fund.

The Walton Family Foundation, in partnership with the Arkansas Development Finance Authority, has agreed to provide an in-kind matching contribution of ten million dollars to secure long-term capital bond financing of up to fifty million dollars for these entities.

I appreciate your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Beebe".

Mike Beebe

MB:brs:cr

Attachment

Stricken language would be deleted from and underlined language would be added to present law.

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

# A Bill

5 By:  
6

## 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

16 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
17 DIVISION OF PUBLIC SCHOOL ACADEMIC  
18 FACILITIES AND TRANSPORTATION SUPPLEMENTAL  
19 APPROPRIATION FOR THE 2013-2014 FISCAL  
20 YEAR.  
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22  
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. APPROPRIATION - OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL  
26 FACILITIES LOAN PROGRAM. There is hereby appropriated, to the Department of  
27 Education - Division of Public School Academic Facilities and Transportation,  
28 to be payable from the Open-Enrollment Public Charter School Facilities Loan  
29 Fund, for distributing loans to open-enrollment public charter schools for  
30 the purposes of the construction, lease or purchase of an academic facility,  
31 the repair, improvement, or addition to an academic facility, and enhancing  
32 credit for financing purposes by the Department of Education - Division of  
33 Public School Academic Facilities and Transportation - Open-Enrollment Public  
34 Charter School Facilities Loan Program, which shall be supplemental in  
35 addition to those funds appropriated in Section 5 of Act 1400 of 2013, the  
36 following:

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ITEM	FISCAL YEAR
NO.	2013-2014
(01) OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL FACILITIES LOANS	<u>\$ 10,000,000</u>

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

Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of the State the sum of ten million dollars (\$10,000,000) from the unobligated funds in the General Improvement Fund to the Open-Enrollment Public Charter School Facilities Loan Fund Account to provide funds for distributing loans to open-enrollment public charter schools for the purposes of the 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.

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

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

1 the Department of Finance and Administration, letters, or summarized oral  
2 testimony in the official minutes of the Arkansas Legislative Council or  
3 Joint Budget Committee which relate to its passage and adoption.  
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5 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the Eighty-  
6 Ninth General Assembly, that the Constitution of the State of Arkansas  
7 prohibits the appropriation of funds for more than a one (1) year period;  
8 that the effectiveness of this Act on the date of its passage and approval is  
9 essential to the operation of the agency for which the appropriations in this  
10 Act are provided, and that in the event of an extension of the legislative  
11 session, the delay in the effective date of this Act beyond the date of its  
12 passage and approval could work irreparable harm upon the proper  
13 administration and provision of essential governmental programs. Therefore,  
14 an emergency is hereby declared to exist and this Act being necessary for the  
15 immediate preservation of the public peace, health and safety shall be in  
16 full force and effect from and after the date of its passage and approval.

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