

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: S3/13/13 S3/14/13

A Bill

SENATE BILL 629

5 By: Senator J. Key
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR LOANS FOR THE
9 OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL FACILITIES LOAN
10 PROGRAM FOR THE DEPARTMENT OF EDUCATION - DIVISION OF
11 PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION
12 FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR
13 OTHER PURPOSES.
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Subtitle

16 AN ACT FOR THE DEPARTMENT OF EDUCATION -
17 DIVISION OF PUBLIC SCHOOL ACADEMIC
18 FACILITIES AND TRANSPORTATION - OPEN-
19 ENROLLMENT PUBLIC CHARTER SCHOOL
20 *FACILITIES LOAN PROGRAM GENERAL*
21 *IMPROVEMENT APPROPRIATION.*
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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 *General Improvement Fund or its successor fund or fund*
29 *accounts*, for distributing loans to open-enrollment public charter schools
30 for the purposes of the construction, lease or purchase of an academic
31 facility, the repair, improvement, or addition to an academic facility, and
32 enhancing credit for financing purposes by the Department of Education -
33 Division of Public School Academic Facilities and Transportation - Open-
34 Enrollment Public Charter School Facilities Loan Program for the fiscal year
35 ending June 30, 2014, the following:
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1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2013-2014</u>
3	(01) OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL	
4	FACILITIES LOANS	<u>\$25,000,000</u>

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6 *SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor*
7 *obligations otherwise incurred in relation to the project or projects*
8 *described herein in excess of the State Treasury funds actually available*
9 *therefor as provided by law. Provided, however, that institutions and*
10 *agencies listed herein shall have the authority to accept and use grants and*
11 *donations including Federal funds, and to use its unobligated cash income or*
12 *funds, or both available to it, for the purpose of supplementing the State*
13 *Treasury funds for financing the entire costs of the project or projects*
14 *enumerated herein. Provided further, that the appropriations and funds*
15 *otherwise provided by the General Assembly for Maintenance and General*
16 *Operations of the agency or institutions receiving appropriation herein shall*
17 *not be used for any of the purposes as appropriated in this act.*

18 *(B) The restrictions of any applicable provisions of the State Purchasing*
19 *Law, the General Accounting and Budgetary Procedures Law, the Revenue*
20 *Stabilization Law and any other applicable fiscal control laws of this State*
21 *and regulations promulgated by the Department of Finance and Administration,*
22 *as authorized by law, shall be strictly complied with in disbursement of any*
23 *funds provided by this act unless specifically provided otherwise by law.*

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25 **SECTION 3. LEGISLATIVE INTENT.** It is the intent of the General
26 Assembly that any funds disbursed under the authority of the appropriations
27 contained in this act shall be in compliance with the stated reasons for
28 which this act was adopted, as evidenced by the Agency Requests, Executive
29 Recommendations and Legislative Recommendations contained in the budget
30 manuals prepared by the Department of Finance and Administration, letters, or
31 summarized oral testimony in the official minutes of the Arkansas Legislative
32 Council or Joint Budget Committee which relate to its passage and adoption.

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34 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
35 Assembly, that the Constitution of the State of Arkansas prohibits the
36 appropriation of funds for more than a one (1) year period; that the

1 effectiveness of this Act on July 1, 2013 is essential to the operation of
2 the agency for which the appropriations in this Act are provided, and that in
3 the event of an extension of the legislative session, the delay in the
4 effective date of this Act beyond July 1, 2013 could work irreparable harm
5 upon the proper administration and provision of essential governmental
6 programs. Therefore, an emergency is hereby declared to exist and this Act
7 being necessary for the immediate preservation of the public peace, health
8 and safety shall be in full force and effect from and after July 1, 2013.

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10 */s/J. Key*
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