

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

# A Bill

SENATE BILL 146

5 By: Joint Budget Committee  
6

## 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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## Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
16 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS  
17 SUPPLEMENTAL APPROPRIATION.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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### SECTION 1. APPROPRIATION - BROADBAND FACILITIES MATCHING GRANT PROGRAM.

23 There is hereby appropriated, to the Department of Education, to be payable  
24 from the Department of Education Public School Fund Account, for matching  
25 funds for the Broadband Facilities Matching Grant Program, which will not  
26 impact local contracts, the Arkansas Research and Education Optical Network,  
27 or Middle mile connectivity, for the fiscal year ending June 30, 2014, the  
28 following:  
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31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2013-2014</u>
33 (01) BROADBAND GRANTS STATE MATCH	<u>\$10,000,000</u>

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35 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BROADBAND



1 FACILITIES MATCHING GRANT PROGRAM - MATCHING FUNDS. The funds appropriated  
2 for state match for the Broadband Facilities Matching Grant Program in this  
3 Act shall be paid on a one-to-one state/local matching basis.

4 The provisions of this section shall be in effect only from July 1,  
5 2013 through June 30, 2014.

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

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

23 Any carry forward of unexpected balance of funding as authorized herein, may  
24 be carried forward under the following conditions:

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

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

35 (3) Each Agency, Board, Commission or Institution shall provide a  
36 written report to the Arkansas Legislative Council or Joint Budget Committee

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

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

11 The provisions of this section shall be in effect only from July 1,  
12 2013 through June 30, 2014.

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

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

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33 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
34 Assembly, that funds provided by the General Assembly for the operations of  
35 the Department of Education-Public School Fund are, due to unforeseen  
36 circumstances, insufficient for the Department of Education-Public School

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

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

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