

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

A Bill

HOUSE BILL 1421

4
5 By: Joint Budget Committee

For An Act To Be Entitled

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8 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 EDUCATION - DIVISION OF PUBLIC SCHOOL ACADEMIC
10 FACILITIES AND TRANSPORTATION FOR GRANTS TO OPEN
11 ENROLLMENT PUBLIC CHARTER SCHOOLS FOR ACADEMIC
12 FACILITIES; AND FOR OTHER PURPOSES.

Subtitle

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16 AN ACT FOR THE DEPARTMENT OF EDUCATION -
17 DIVISION OF PUBLIC SCHOOL ACADEMIC
18 FACILITIES AND TRANSPORTATION - OPEN
19 ENROLLMENT PUBLIC CHARTER SCHOOL ACADEMIC
20 FACILITIES GENERAL IMPROVEMENT
21 APPROPRIATION.

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

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26 SECTION 1. APPROPRIATION - OPEN ENROLLMENT PUBLIC CHARTER SCHOOL
27 ACADEMIC FACILITIES. There is hereby appropriated, to the Department of
28 Education - Division of Public School Academic Facilities and Transportation,
29 to be payable from the General Improvement Fund or its successor fund or fund
30 accounts, the following:

31 (A) for grants to existing high performance open enrollment public
32 charter schools with a demonstrated record of academic success for
33 construction, improvements, equipment, renovation and repairs of school owned
34 academic facilities, in a sum not to exceed.....\$5,000,000.

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36 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

2 Notwithstanding any other rules, regulations or provision of law to the
3 contrary the appropriations authorized in this Act shall not be restricted by
4 requirements that may be applicable to other programs currently administered.
5 New rules and regulations may be adopted to carry out the intent of the
6 General Assembly regarding the appropriations authorized in this Act.

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8 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
9 obligations otherwise incurred in relation to the project or projects
10 described herein in excess of the State Treasury funds actually available
11 therefor as provided by law. Provided, however, that institutions and
12 agencies listed herein shall have the authority to accept and use grants and
13 donations including Federal funds, and to use its unobligated cash income or
14 funds, or both available to it, for the purpose of supplementing the State
15 Treasury funds for financing the entire costs of the project or projects
16 enumerated herein. Provided further, that the appropriations and funds
17 otherwise provided by the General Assembly for Maintenance and General
18 Operations of the agency or institutions receiving appropriation herein shall
19 not be used for any of the purposes as appropriated in this act.

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

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27 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
28 Assembly that any funds disbursed under the authority of the appropriations
29 contained in this act shall be in compliance with the stated reasons for
30 which this act was adopted, as evidenced by the Agency Requests, Executive
31 Recommendations and Legislative Recommendations contained in the budget
32 manuals prepared by the Department of Finance and Administration, letters, or
33 summarized oral testimony in the official minutes of the Arkansas Legislative
34 Council or Joint Budget Committee which relate to its passage and adoption.

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36 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the
2 appropriation of funds for more than a one (1) year period; that the
3 effectiveness of this Act on July 1, 2013 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the legislative session, the delay in the
6 effective date of this Act beyond July 1, 2013 could work irreparable harm
7 upon the proper administration and provision of essential governmental
8 programs. Therefore, an emergency is hereby declared to exist and this Act
9 being necessary for the immediate preservation of the public peace, health
10 and safety shall be in full force and effect from and after July 1, 2013.

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