



STATE OF ARKANSAS
MIKE BEEBE
GOVERNOR

January 15, 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 appropriation to the Department of Education Public School Fund to establish the state Broadband Facilities Matching Grant Program for local school districts. This program would be funded through a one-time transfer from the unobligated balances in the General Improvement Fund.

I would also request that this appropriation, local matching requirement and carry forward funding language be amended into the Department's FY2015 appropriation bill as well.

I appreciate your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "MB", written over a horizontal line.

Mike Beebe

MB:brs:cr

Attachment

1-1

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 89th General Assembly.

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

A Bill

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.
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -
15 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS
16 SUPPLEMENTAL APPROPRIATION FOR THE 2013-
17 2014 FISCAL YEAR.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

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 year
27 ending June 30, 2014, the following:
28

29 ITEM	FISCAL YEAR
30 NO.	2013-2014
31 (01) BROADBAND GRANTS STATE MATCH	<u>\$ 10,000,000</u>

32
33 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
34 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BROADBAND
35 FACILITIES MATCHING GRANT PROGRAM - MATCHING FUNDS. The funds appropriated

1 for state match for the Broadband Facilities Matching Grant Program in this
2 Act shall be paid on a one-to-one state/local matching basis.

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

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

15
16 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
17 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Any unexpended
18 balance of monies allocated for the Broadband Facilities Matching Grant
19 Program remaining on June 30, 2014, in the Department of Education Public
20 School Fund Account shall be designated and retained for the Broadband Grant
21 Matching Program.

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

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

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

34 (3) Each Agency, Board, Commission or Institution shall provide a
35 written report to the Arkansas Legislative Council or Joint Budget Committee
36 containing all information set forth in item (2) above, along with a written

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

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

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

12
13 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
14 by this act shall be limited to the appropriation for such agency and funds
15 made available by law for the support of such appropriations; and the
16 restrictions of the State Procurement Law, the General Accounting and
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
18 Procedures and Restrictions Act, or their successors, and other fiscal
19 control laws of this State, where applicable, and regulations promulgated by
20 the Department of Finance and Administration, as authorized by law, shall be
21 strictly complied with in disbursement of said funds.

22
23 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
24 that any funds disbursed under the authority of the appropriations contained
25 in this act shall be in compliance with the stated reasons for which this act
26 was adopted, as evidenced by the Agency Requests, Executive Recommendations
27 and Legislative Recommendations contained in the budget manuals prepared by
28 the Department of Finance and Administration, letters, or summarized oral
29 testimony in the official minutes of the Arkansas Legislative Council or
30 Joint Budget Committee which relate to its passage and adoption.

31
32 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the Eighty-
33 Ninth General Assembly, that the Constitution of the State of Arkansas
34 prohibits the appropriation of funds for more than a one (1) year period;
35 that the effectiveness of this Act on the date of its passage and approval is
36 essential to the operation of the agency for which the appropriations in this

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

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