

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H4/3/03 H4/11/03

A Bill

HOUSE BILL 1533

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION
16 APPROPRIATION FOR THE 2003-2005
17 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Education for the 2003-2005 biennium, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
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35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	2003-2004	2004-2005
3	(1) 9945	ED DIRECTOR - GENERAL DIVISION	1	\$119,768	\$122,295
4	(2) 9952	ED DEP DIRECTOR - GENERAL DIVISION	1	\$102,979	\$105,271
5	(3) 9502	ASST DIR INFORMATION & TECHNOLOGY	1	\$84,307	\$86,308
6	(4) 9501	ASST DIR FINANCE & ADMINISTRATION	1	\$84,307	\$86,308
7	(5) 9500	ASST DIR TECH ASSISTANCE	1	\$84,307	\$86,308
8	(6) 9041	ED ASST DIR SCHOOL IMPROVEMENT	1	\$84,307	\$86,308
9	(7) 9040	ED ASST DIR PUBLIC SCHOOL FINANCE	1	\$84,307	\$86,308
10	(8) 9039	ED ASST DIR OF COMMUNICATIONS	1	\$84,307	\$86,308
11	(9) 9277	ADE LITIGATION ATTORNEY	1	\$77,680	\$79,556
12	(10) 031Z	ED LEGAL ASST TO DIRECTOR	1	GRADE	26
13	(11) 213Z	ED LEAD PLNR FOR DESEGREG MONITOR	1	GRADE	26
14	(12) 216Z	ED ASSOC DIR FOR SPECIAL EDUCATION	1	GRADE	26
15	(13) 217Z	ASSOC DIR STUDENT SUPPORT SERVICES	1	GRADE	26
16	(14) 221Z	ED ASSOC DIR FINANCE	1	GRADE	26
17	(15) R005	ED ASSISTANT TO DIRECTOR	1	GRADE	26
18	(16) R170	ATTORNEY SPECIALIST	2	GRADE	25
19	(17) 066Z	EDUCATION COMMUNICATION MGR	1	GRADE	24
20	(18) R036	ATTORNEY	1	GRADE	24
21	(19) R069	ED STATISTICAL ANALYST & RESEARCHER	1	GRADE	24
22	(20) R135	ED COORD RESEARCH & STATISTICS	1	GRADE	24
23	(21) 227Z	ED COORD CHAPTER I PROGRAMS	1	GRADE	23
24	(22) 233Z	ED DIR CHILD NUTRITION PROGRAMS	1	GRADE	23
25	(23) 237Z	ED COORD SPECIAL EDUCATION	1	GRADE	23
26	(24) 238Z	ED COORD TEACHER EDUC, CERT & TEST	1	GRADE	23
27	(25) 836Z	COORDINATOR OF CHAPTER II	1	GRADE	23
28	(26) D080	APPLICATIONS & SYSTEMS MANAGER	1	GRADE	23
29	(27) R063	EDUCATION CURRICULUM SUPERVISOR	2	GRADE	23
30	(28) R067	EDUCATION RESEARCH SPECIALIST	1	GRADE	23
31	(29) 062Z	ED PERSONNEL MANAGER	1	GRADE	22
32	(30) 235Z	ED COORD SCHOOL PLANT SERVICES	1	GRADE	22
33	(31) 909Z	PROGRAM SUPPORT MANAGER	27	GRADE	22
34	(32) A047	GENERAL FINANCE COORDINATOR	3	GRADE	22
35	(33) D066	SYSTEMS COORDINATION ANALYST II	1	GRADE	22
36	(34) D124	LEAD PROGRAMMER/ANALYST	1	GRADE	22

1	(35)	R031	ED SUPERVISOR MIGRANT EDUCATION	1	GRADE 22
2	(36)	V042	GENERAL SERVICES MANAGER	1	GRADE 22
3	(37)	A008	ACCOUNTING SUPERVISOR II	3	GRADE 21
4	(38)	D036	SR PROGRAMMER/ANALYST	2	GRADE 21
5	(39)	D123	APPLICATIONS & SYSTEMS ANALYST	5	GRADE 21
6	(40)	E028	ED PROGRAM ADMINISTRATOR	4	GRADE 21
7	(41)	R028	ED PROGRAM ANALYST	12	GRADE 21
8	(42)	R288	PUBLIC SCHOOL ADMIN ADVISOR	53	GRADE 21
9	(43)	R290	PUBLIC SCHOOL PROGRAM ADVISOR	57	GRADE 21
10	(44)	A056	INTERNAL AUDITOR	1	GRADE 20
11	(45)	R133	AGENCY DIRECTOR RESEARCH & STATS	2	GRADE 20
12	(46)	R266	MANAGEMENT PROJECT ANALYST II	4	GRADE 20
13	(47)	V005	ED SUPERVISOR SPECIAL SERVICES	1	GRADE 20
14	(48)	X394	SCHOOL INSURANCE SPECIALIST	1	GRADE 20
15	(49)	A110	ACCOUNTANT II	5	GRADE 19
16	(50)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
17	(51)	R168	GRANTS COORDINATOR II	3	GRADE 19
18	(52)	R204	PARALEGAL/LEGAL ASSISTANT	1	GRADE 19
19	(53)	A111	ACCOUNTANT	2	GRADE 18
20	(54)	E072	TRAINING INSTRUCTOR	1	GRADE 18
21	(55)	G028	BLDG PLANT MAINTENANCE SUPV II	2	GRADE 18
22	(56)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
23	(57)	G161	GENERAL MAINTENANCE REPAIRMAN	1	GRADE 17
24	(58)	R010	ADMINISTRATIVE ASSISTANT II	29	GRADE 17
25	(59)	R190	PERSONNEL OFFICER II	1	GRADE 17
26	(60)	Y085	PRINTER II	1	GRADE 16
27	(61)	A063	PAYROLL OFFICER	1	GRADE 15
28	(62)	A108	ACCOUNTING TECHNICIAN II	5	GRADE 15
29	(63)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
30	(64)	R009	ADMINISTRATIVE ASSISTANT I	9	GRADE 15
31	(65)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	1	GRADE 15
32	(66)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
33	(67)	D003	COMPUTER OPERATOR I	1	GRADE 13
34	(68)	K153	SECRETARY II	42	GRADE 13
35	(69)	Y083	PRINTER I	1	GRADE 13
36	(70)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12

1	(71)	K039	DOCUMENT EXAMINER II	2	GRADE 12
2	(72)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
3	(73)	K181	MAILROOM SUPERVISOR	1	GRADE 12
4	(74)	K155	SECRETARY I	4	GRADE 11
5	(75)	T043	SECURITY OFFICER I	1	GRADE 11
6	(76)	K097	RECEPTIONIST	1	GRADE 10
7	(77)	K103	REPROD EQUIPMENT OPERATOR	<u>1</u>	GRADE 10
8			MAX. NO. OF EMPLOYEES	334	

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10 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for
 11 the Department of Education - State Operations for the 2003-2005 biennium,
 12 the following maximum number of part-time or temporary employees, to be known
 13 as "Extra Help", payable from funds appropriated herein for such purposes:
 14 eight (8) temporary or part-time employees, when needed, at rates of pay not
 15 to exceed those provided in the Uniform Classification and Compensation Act,
 16 or its successor, or this act for the appropriate classification.

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18 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 19 to the Department of Education, to be payable from the Department of
 20 Education Fund Account, for personal services and operating expenses of the
 21 Department of Education - State Operations for the biennial period ending
 22 June 30, 2005, the following:

24	ITEM		FISCAL YEARS	
25	<u>NO.</u>		<u>2003-2004</u>	<u>2004-2005</u>
26	(01)	REGULAR SALARIES	\$ 9,233,518	\$ 9,482,823
27	(02)	EXTRA HELP	14,998	14,998
28	(03)	PERSONAL SERV MATCH	2,587,326	2,636,484
29	(04)	MAINT. & GEN. OPERATION		
30	(A)	OPER. EXPENSE	2,068,796	2,069,296
31	(B)	CONF. & TRAVEL	102,400	102,400
32	(C)	PROF. FEES	27,800	27,800
33	(D)	CAP. OUTLAY	100,000	100,000
34	(E)	DATA PROC.	113,000	113,000
35	(05)	READING RECOVERY	100,000	100,000
36	(06)	SCHOOL REPORT CARD	50,000	50,000

1	(07) AR LEADERSHIP ACADEMY	<u>300,000</u>	<u>300,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 14,697,838</u>	<u>\$ 14,996,801</u>

3

4 SECTION 4. APPROPRIATION - FEDERAL GRANTS ADMINISTRATION. There is hereby
 5 appropriated, to the Department of Education, to be payable from the federal
 6 funds as designated by the Chief Fiscal Officer of the State, for personal
 7 services and operating expenses of the Department of Education - Federal
 8 Grants Administration for the biennial period ending June 30, 2005, the
 9 following:

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11	ITEM	FISCAL YEARS	
12	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
13	(01) REGULAR SALARIES	\$ 333,177	\$ 342,174
14	(02) PERSONAL SERV MATCH	92,549	94,323
15	(03) MAINT. & GEN. OPERATION		
16	(A) OPER. EXPENSE	44,970	49,970
17	(B) CONF. & TRAVEL	14,672	19,672
18	(C) PROF. FEES	60,000	60,000
19	(D) CAP. OUTLAY	10,000	10,000
20	(E) DATA PROC.	<u>0</u>	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$ 555,368</u>	<u>\$ 576,139</u>

22

23 SECTION 5. APPROPRIATION - BUILDING MAINTENANCE. There is hereby
 24 appropriated, to the Department of Education, to be payable from the
 25 Educational Building Revenue Bond Fund, for operating expenses of the
 26 Department of Education - Building Maintenance for the biennial period ending
 27 June 30, 2005, the following:

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29	ITEM	FISCAL YEARS	
30	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
31	(01) MAINT. & GEN. OPERATION		
32	(A) OPER. EXPENSE	\$ 500,000	\$ 500,000
33	(B) CONF. & TRAVEL	0	0
34	(C) PROF. FEES	0	0
35	(D) CAP. OUTLAY	0	0
36	(E) DATA PROC.	<u>0</u>	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$ 500,000 \$ 500,000

2

3 SECTION 6. APPROPRIATION - REVOLVING LOAN CERTIFICATES PROGRAM. There is
 4 hereby appropriated, to the Department of Education, to be payable from the
 5 Education Revolving Loan Certificates Fund, for personal services and
 6 operating expenses of the Department of Education - Revolving Loan
 7 Certificates Program for the biennial period ending June 30, 2005, the
 8 following:

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10 ITEM	FISCAL YEARS	
11 NO.	2003-2004	2004-2005
12 (01) REGULAR SALARIES	\$ 114,485	\$ 117,576
13 (02) PERSONAL SERV MATCH	36,005	36,614
14 (03) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE	27,500	27,500
16 (B) CONF. & TRAVEL	2,500	2,500
17 (C) PROF. FEES	10,000	10,000
18 (D) CAP. OUTLAY	0	0
19 (E) DATA PROC.	0	0
20 (04) LOANS TO SCHOOL DISTRICTS	<u>13,000,000</u>	<u>13,000,000</u>
21 TOTAL AMOUNT APPROPRIATED	\$ <u>13,190,490</u>	\$ <u>13,194,190</u>

22

23 SECTION 7. APPROPRIATION - PUBLIC ELEMENTARY & SECONDARY SCHOOL SELF
 24 INSURANCE PROGRAM. There is hereby appropriated, to the Department of
 25 Education, to be payable from the Public Elementary and Secondary School
 26 Insurance Fund, for personal services and operating expenses of the
 27 Department of Education - Public Elementary & Secondary School Self Insurance
 28 Program for the biennial period ending June 30, 2005, the following:

29

30 ITEM	FISCAL YEARS	
31 NO.	2003-2004	2004-2005
32 (01) REGULAR SALARIES	\$ 105,008	\$ 107,843
33 (02) PERSONAL SERV MATCH	34,137	34,696
34 (03) MAINT. & GEN. OPERATION		
35 (A) OPER. EXPENSE	44,000	44,000
36 (B) CONF. & TRAVEL	500	500

1	(C) PROF. FEES	0	0
2	(D) CAP. OUTLAY	0	0
3	(E) DATA PROC.	0	0
4	(04) CLAIMS	<u>9,000,000</u>	<u>9,000,000</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 9,183,645</u>	<u>\$ 9,187,039</u>

6
 7 SECTION 8. APPROPRIATION - CHILD NUTRITION PROGRAM. There is hereby
 8 appropriated, to the Department of Education, to be payable from the federal
 9 funds as designated by the Chief Fiscal Officer of the State, for personal
 10 services and operating expenses of the Department of Education - Child
 11 Nutrition Program for the biennial period ending June 30, 2005, the
 12 following:

14	ITEM	FISCAL YEARS	
15	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
16	(01) REGULAR SALARIES	\$ 540,211	\$ 554,797
17	(02) PERSONAL SERV MATCH	156,876	159,750
18	(03) MAINT. & GEN. OPERATION		
19	(A) OPER. EXPENSE	348,100	393,100
20	(B) CONF. & TRAVEL	46,600	52,600
21	(C) PROF. FEES	138,400	156,400
22	(D) CAP. OUTLAY	50,000	50,000
23	(E) DATA PROC.	0	0
24	(04) SCHOOL FOOD SERVICE/NUTRITION ED	109,000,000	124,000,000
25	(05) REFUNDS/REIMBURSEMENTS	<u>300,000</u>	<u>300,000</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 110,580,187</u>	<u>\$ 125,666,647</u>

27
 28 SECTION 9. APPROPRIATION - FEDERAL TURNBACK PROGRAM. There is hereby
 29 appropriated, to the Department of Education, to be payable from the federal
 30 funds as designated by the Chief Fiscal Officer of the State, for federal
 31 turnback to school districts of the Department of Education - Federal
 32 Turnback Program for the biennial period ending June 30, 2005, the following:

34	ITEM	FISCAL YEARS	
35	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
36	(01) FEDERAL TURNBACK	<u>\$ 11,000,000</u>	<u>\$ 11,000,000</u>

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SECTION 10. APPROPRIATION - FEDERAL ELEMENTARY & SECONDARY EDUCATION.
 There is hereby appropriated, to the Department of Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Education - Federal Elementary & Secondary Education for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 2,661,606	\$ 2,732,174
(02) EXTRA HELP	32,000	32,000
(03) PERSONAL SERV MATCH	744,678	758,602
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	3,055,900	3,455,900
(B) CONF. & TRAVEL	630,500	710,500
(C) PROF. FEES	1,910,600	2,160,600
(D) CAP. OUTLAY	250,000	250,000
(E) DATA PROC.	71,000	86,000
(05) ENTITLEMENT GRANT PROGRAMS	263,484,200	299,484,200
(06) REFUNDS/REIMBURSEMENTS	<u>400,000</u>	<u>400,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 273,240,484</u>	<u>\$ 310,069,976</u>

SECTION 11. EXTRA HELP - FEDERAL ELEMENTARY & SECONDARY EDUCATION. There is hereby authorized, for the Department of Education - Federal Elementary & Secondary Education for the 2003-2005 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: four (4) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 12. APPROPRIATION - GATES FOUNDATION GRANT. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Education -

1 Gates Foundation Grant for the biennial period ending June 30, 2005, the
2 following:

4 ITEM	FISCAL YEARS		
	5 NO.	2003-2004	2004-2005
6 (01) MAINT. & GEN. OPERATION			
7 (A) OPER. EXPENSE	\$	140,000	\$ 140,000
8 (B) CONF. & TRAVEL		35,000	35,000
9 (C) PROF. FEES		100,000	100,000
10 (D) CAP. OUTLAY		25,000	25,000
11 (E) DATA PROC.		0	0
12 (02) GATES FOUNDATION GRANTS		<u>300,000</u>	<u>300,000</u>
13 TOTAL AMOUNT APPROPRIATED	\$	<u>600,000</u>	\$ <u>600,000</u>

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15 SECTION 13. APPROPRIATION - MOTOR VEHICLE SELF INSURANCE PROGRAM. There is
16 hereby appropriated, to the Department of Education, to be payable from the
17 School Vehicle Insurance Reserve Trust Fund, for personal services and
18 operating expenses of the Department of Education - Motor Vehicle Self
19 Insurance Program for the biennial period ending June 30, 2005, the
20 following:

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22 ITEM	FISCAL YEARS		
	23 NO.	2003-2004	2004-2005
24 (01) REGULAR SALARIES	\$	84,527	\$ 86,809
25 (02) PERSONAL SERV MATCH		23,380	23,830
26 (03) MAINT. & GEN. OPERATION			
27 (A) OPER. EXPENSE		32,000	32,000
28 (B) CONF. & TRAVEL		1,000	1,000
29 (C) PROF. FEES		0	0
30 (D) CAP. OUTLAY		0	0
31 (E) DATA PROC.		0	0
32 (04) CLAIMS		<u>5,000,000</u>	<u>5,000,000</u>
33 TOTAL AMOUNT APPROPRIATED	\$	<u>5,140,907</u>	\$ <u>5,143,639</u>

34

35 SECTION 14. APPROPRIATION - MULTIPLE GRANT AWARD PROGRAM. There is hereby
36 appropriated, to the Department of Education, to be payable from the cash

1 fund deposited in the State Treasury as determined by the Chief Fiscal
 2 Officer of the State, for operating expenses and grants of the Department of
 3 Education - Multiple Grant Award Program for the biennial period ending June
 4 30, 2005, the following:

6 ITEM	FISCAL YEARS	
7 NO.	2003-2004	2004-2005
8 (01) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSE	\$ 107,000	\$ 122,000
10 (B) CONF. & TRAVEL	11,500	16,500
11 (C) PROF. FEES	35,000	40,000
12 (D) CAP. OUTLAY	10,000	10,000
13 (E) DATA PROC.	0	0
14 (02) MULTILPE GRANT AWARDS	<u>1,947,875</u>	<u>2,447,875</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,111,375</u>	<u>\$ 2,636,375</u>

16
 17 SECTION 15. APPROPRIATION - MEDICAID REIMBURSEMENT. There is hereby
 18 appropriated, to the Department of Education, to be payable from the cash
 19 fund deposited in the State Treasury as determined by the Chief Fiscal
 20 Officer of the State, for Medicaid Reimbursement and administration of the
 21 Department of Education - Medicaid Reimbursement Program for the biennial
 22 period ending June 30, 2005, the following:

24 ITEM	FISCAL YEARS	
25 NO.	2003-2004	2004-2005
26 (01) REFUNDS/REIMBURSE	\$ 5,000,000	\$ 5,000,000
27 (02) MEDICAID ADMIN	<u>10,500</u>	<u>10,500</u>
28 TOTAL AMOUNT APPROPRIATED	<u>\$ 5,010,500</u>	<u>\$ 5,010,500</u>

29
 30 SECTION 16. APPROPRIATION - ALTERNATIVE CERTIFICATION PROGRAM. There is
 31 hereby appropriated, to the Department of Education, to be payable from the
 32 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 33 Officer of the State, for operating expenses of the Department of Education -
 34 Alternative Certification Program for the biennial period ending June 30,
 35 2005, the following:

36

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 216,100	\$ 216,100
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	32,000	32,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 248,100</u>	<u>\$ 248,100</u>

10

11 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TURNBACK
 13 FUNDS. Any Federal Mineral Leasing Funds, Federal Forest Reserve Funds,
 14 Federal Flood Control Funds, or any similar turnback funds in the State
 15 Treasury for which the eligible county and/or school district cannot be
 16 identified may be transferred to the Department of Education Public School
 17 Fund Account and used for any lawful school purpose.

18 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 19 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

20

21 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. YEAR-END
 23 FUND BALANCE. Notwithstanding any law pertaining to the transfer of year-end
 24 fund balances or any law to the contrary, any funds which remain in the
 25 Department of Education Fund Account at the end of a fiscal year shall remain
 26 in the Department of Education Fund Account and made available to fund
 27 appropriation authorized by law and made payable from the Department of
 28 Education Fund Account for the following fiscal year.

29 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 30 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

31

32 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 34 TRANSFER. Immediately upon the effective date of this act the Chief Fiscal
 35 Officer of the State shall transfer on his books, and those of the State
 36 Treasurer and Auditor of State, the balance of monies remaining in the

1 Educational Loan Fund to the Education Revolving Loan Certificates Fund.

2 The provisions of this section shall be in effect only from July 1, 2003
3 through June 30, 2005.

4
5 SECTION 20. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
6 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES - PUBLIC
7 ELEMENTARY AND SECONDARY SCHOOL INSURANCE FUND. (A) For all appropriations
8 as provided in this Act, the agency disbursing officer shall monitor the
9 level of fund balances in relation to expenditures on a monthly basis. If
10 any proposed expenditures would cause the Public Elementary and Secondary
11 School Insurance Fund to decline below two million eight hundred fifty two
12 thousand eight hundred thirty two dollars (\$2,852,832) a fund balance to
13 decline to less than fifty percent (50%) of the balance available on July 1,
14 2001, the disbursing officer shall immediately notify the executive head of
15 the agency. Prior to any obligations being made under these circumstances,
16 the agency head shall file written documentation with the Chief Fiscal
17 Officer of the State requesting approval of the expenditures. Such
18 documentation shall provide sufficient financial data to justify the
19 expenditures and shall include the following:

- 20 1) a plan that clearly indicates the specific fiscal impact of such
21 expenditures on the fund balance.
22 2) information clearly indicating and explaining what programs would be cut
23 or any other measures to be taken by the agency to restore the fund balance.
24 3) the extent to which any of the planned expenditures are for one-time costs
25 or one-time purchase of capitalized items.
26 4) a statement certifying that the expenditure of fund balances will not
27 jeopardize the financial health of the agency, nor result in a permanent
28 depletion of the fund balance.

29 (B) The Chief Fiscal Officer of the State shall review the request and
30 approve or disapprove all or any part of the request, after having sought
31 prior review by the Legislative Council.

32 The provisions of this section shall be in effect only from July 1, 2003
33 through June 30, 2005.

34
35 SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
36 by this act shall be limited to the appropriation for such agency and funds

1 made available by law for the support of such appropriations; and the
2 restrictions of the State Purchasing Law, the General Accounting and
3 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
4 Procedures and Restrictions Act, or their successors, and other fiscal
5 control laws of this State, where applicable, and regulations promulgated by
6 the Department of Finance and Administration, as authorized by law, shall be
7 strictly complied with in disbursement of said funds.

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9 *SECTION 22. LEGISLATIVE INTENT.* It is the intent of the General Assembly
10 that any funds disbursed under the authority of the appropriations contained
11 in this act shall be in compliance with the stated reasons for which this act
12 was adopted, as evidenced by the Agency Requests, Executive Recommendations
13 and Legislative Recommendations contained in the budget manuals prepared by
14 the Department of Finance and Administration, letters, or summarized oral
15 testimony in the official minutes of the Arkansas Legislative Council or
16 Joint Budget Committee which relate to its passage and adoption.

17
18 *SECTION 23. EMERGENCY CLAUSE.* It is found and determined by the General
19 Assembly, that the Constitution of the State of Arkansas prohibits the
20 appropriation of funds for more than a two (2) year period; that the
21 effectiveness of this Act on July 1, 2003 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the Regular Session, the delay in the effective
24 date of this Act beyond July 1, 2003 could work irreparable harm upon the
25 proper administration and provision of essential governmental programs.
26 Therefore, an emergency is hereby declared to exist and this Act being
27 necessary for the immediate preservation of the public peace, health and
28 safety shall be in full force and effect from and after July 1, 2003.

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30 /s/ Joint Budget Committee
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