

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

Call Item 3

# A Bill

HOUSE BILL 1116

5 By: Representative Mahony  
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7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND  
10 AIDS TO LOCAL SCHOOL DISTRICTS AND SPECIAL  
11 PROGRAMS FOR THE DEPARTMENT OF EDUCATION FOR THE  
12 BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

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16 AN ACT FOR THE DEPARTMENT OF EDUCATION  
17 - GRANTS AND AIDS TO LOCAL SCHOOL  
18 DISTRICTS AND SPECIAL PROGRAMS  
19 APPROPRIATION FOR THE 2003-2005  
20 BIENNIUM.  
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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. There is hereby appropriated, to the Department  
27 of Education, to be payable from the Department of Education Public School  
28 Fund Account, for grants and aids to local school districts and special  
29 programs of the Department of Education for the biennial period ending June  
30 30, 2005, the following:  
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ITEM	FISCAL YEARS	
	2003-2004	2004-2005
NO.		
(01) STATE FOUNDATION FUNDING AID	\$ 0	\$1,559,817,893
(02) STRUGGLING STUDENTS TEACHER FUNDING	0	104,418,625
(03) ALTERNATIVE LEARNING ENVIRONMENT		



1	TEACHER FUNDING	0	9,495,125
2	(04) ENGLISH LANGUAGE LEARNER TEACHER		
3	FUNDING	0	2,765,750
4	(05) PROFESSIONAL DEVELOPMENT FUNDING	0	22,251,810
5	(06) PUPIL SUPPORT STAFF FOR STRUGGLING STUDENTS	0	104,418,625
6	(07) DEBT SERVICE FUNDING SUPPLEMENT	0	28,000,000
7	(08) STUDENT GROWTH FUNDING	0	41,291,748
8	(09) ISOLATED FUNDING	0	9,076,387
9	(10) PRE-KINDERGARTEN PROGRAM	0	20,000,000
10	(11) SPECIAL EDUCATION CATASTROPHIC OCCURENCES	0	8,000,000
11	(12) TEACHER ASSESSMENT	0	1,500,000
12	(13) SCHOOL-BASED PERFORMANCE AWARDS	<u>0</u>	<u>30,000,000</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 0</u>	<u>\$1,914,035,963</u>

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15 SECTION 2. APPROPRIATION - TEACHERS IN SPECIAL SETTINGS. There is hereby

16 appropriated, to the Department of Education, to be payable from the

17 Department of Education Public School Fund Account, for providing additional

18 personal services for salary increases to teachers in special settings that

19 may not otherwise be eligible to receive the salary increase authorized for

20 other teachers for the biennial period ending June 30, 2005, the following:

22	ITEM	FISCAL YEARS	
23	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
24	(01) EARLY CHILDHOOD TEACHERS - PERSONAL		
25	SERVICES	\$ 0	\$ 821,881
26	(02) HUMAN DEVELOPMENT CENTERS - PERSONAL		
27	SERVICES	0	46,657
28	(03) JUVENILE DETENTION FACILITIES -		
29	PERSONAL SERVICES	0	114,848
30	(04) SCHOOL FOR MATHEMATICS, SCIENCES AND		
31	THE ARTS - PERSONAL SERVICES	0	138,240
32	(05) COMMUNITY BASED PROGRAMS SERVING THE		
33	DEVELOPMENTALLY DISABLED - PERSONAL		
34	SERVICES	0	5,000,000
35	(06) DEPARTMENT OF CORRECTION SCHOOL		
36	DISTRICT - PERSONAL SERVICES	0	299,520

1	(07) INTERMEDIATE CARE FACILITIES FOR THE		
2	MENTALLY RETARDED FOR CHILDREN -		
3	PERSONAL SERVICES	0	44,000
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 0</u>	<u>\$ 6,465,146</u>

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6 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
8 SETTING TEACHER SALARY INCREASE FUNDING PROVISION. The appropriations in  
9 Section 2 of this Act are authorized to provide average annual salary  
10 increases to Teachers in Special Settings that are equivalent to the average  
11 annual salary provided to teachers in the public schools by the 84th General  
12 Assembly meeting in Second Extraordinary Session. Further, the  
13 appropriations authorized in Section 2 of this act shall only be funded in  
14 the event additional moneys are authorized by the General Assembly.

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16 The provisions of this section shall be in effect only during the biennial  
17 period ending June 30, 2005.

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19 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
20 by this act shall be limited to the appropriation for such agency and funds  
21 made available by law for the support of such appropriations; and the  
22 restrictions of the State Purchasing Law, the General Accounting and  
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
24 Procedures and Restrictions Act, or their successors, and other fiscal  
25 control laws of this State, where applicable, and regulations promulgated by  
26 the Department of Finance and Administration, as authorized by law, shall be  
27 strictly complied with in disbursement of said funds.

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29 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly  
30 that any funds disbursed under the authority of the appropriations contained  
31 in this act shall be in compliance with the stated reasons for which this act  
32 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
33 and Legislative Recommendations contained in the budget manuals prepared by  
34 the Department of Finance and Administration, letters, or summarized oral  
35 testimony in the official minutes of the Arkansas Legislative Council or  
36 Joint Budget Committee which relate to its passage and adoption.

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SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that due to the November 2002 Arkansas Supreme Court decision regarding the inadequacy of Arkansas public schools the effectiveness of this Act on the date of its passage and approval is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Second Extraordinary Session, the delay in the effective date of this Act beyond the date of its passage and approval could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval.

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