

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

As Engrossed: H1/16/04
A Bill

Call Item 3

HOUSE BILL 1116

5 By: Representative Mahony
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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

15 AN ACT FOR THE DEPARTMENT OF EDUCATION
16 - GRANTS AND AIDS TO LOCAL SCHOOL
17 DISTRICTS AND SPECIAL PROGRAMS
18 APPROPRIATION FOR THE 2003-2005
19 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:
31

ITEM	FISCAL YEARS	
	2003-2004	2004-2005
(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	(08) DHS - DIVISION OF YOUTH SERVICES - RESIDENTIAL -		
5	PERSONAL SERVICES/ARKANSAS NATIONAL		
6	GUARD YOUTH CHALLENGE PROGRAM -		
7	PERSONAL SERVICES	<u>0</u>	<u>210,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 0</u>	<u>\$ 6,675,146</u>

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10 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

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

12 SETTING TEACHER SALARY INCREASE FUNDING PROVISION. The appropriations in

13 Section 2 of this Act are authorized to provide average annual salary

14 increases to Teachers in Special Settings that are equivalent to the average

15 annual salary provided to teachers in the public schools by the 84th General

16 Assembly meeting in Second Extraordinary Session. Further, the

17 appropriations authorized in Section 2 of this act shall only be funded in

18 the event additional moneys are authorized by the General Assembly.

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20 The provisions of this section shall be in effect only during the biennial

21 period ending June 30, 2005.

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23 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

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

25 EXPENDITURE APPROVAL. The funds and appropriation authorized in Section 2 of

26 this Act for Teachers in Special Settings shall not be spent until the

27 Department of Education, working in conjunction with the Department of Human

28 Services and the Department of Correction, has submitted a list of proposed

29 payments to the Chief Fiscal Officer of the State for approval. Such

30 information shall be submitted in such form and content as may be required by

31 the Chief Fiscal Officer of the State.

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33 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

34 by this act shall be limited to the appropriation for such agency and funds

35 made available by law for the support of such appropriations; and the

36 restrictions of the State Purchasing Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
2 Procedures and Restrictions Act, or their successors, and other fiscal
3 control laws of this State, where applicable, and regulations promulgated by
4 the Department of Finance and Administration, as authorized by law, shall be
5 strictly complied with in disbursement of said funds.

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

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16 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
17 Assembly, that the Constitution of the State of Arkansas prohibits the
18 appropriation of funds for more than a two (2) year period; that due to the
19 November 2002 Arkansas Supreme Court decision regarding the inadequacy of
20 Arkansas public schools the effectiveness of this Act on the date of its
21 passage and approval is essential to the operation of the agency for which
22 the appropriations in this Act are provided, and that in the event of an
23 extension of the Second Extraordinary Session, the delay in the effective
24 date of this Act beyond the date of its passage and approval could work
25 irreparable harm upon the proper administration and provision of essential
26 governmental programs. Therefore, an emergency is hereby declared to exist
27 and this Act being necessary for the immediate preservation of the public
28 peace, health and safety shall be in full force and effect from and after the
29 date of its passage and approval.

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

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36 /s/ Mahony