

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

Call Item 3

# A Bill

SENATE BILL 79

5 By: Joint Budget Committee  
6  
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, AND TO PROVIDE A BONUS TO TEACHERS IN  
12 SPECIAL SETTINGS FOR THE DEPARTMENT OF EDUCATION  
13 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND  
14 FOR OTHER PURPOSES.

## Subtitle

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17 AN ACT FOR THE DEPARTMENT OF EDUCATION  
18 - GRANTS AND AIDS TO LOCAL SCHOOL  
19 DISTRICTS AND SPECIAL PROGRAMS  
20 APPROPRIATION FOR THE 2003-2005  
21 BIENNIUM.  
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23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department  
28 of Education, to be payable from the Department of Education Public School  
29 Fund Account, for grants and aids to local school districts and special  
30 programs of the Department of Education for the biennial period ending June  
31 30, 2005, the following:  
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ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) STATE FOUNDATION FUNDING AID	\$ 0	\$1,760,751,092
(02) NATIONAL SCHOOL LUNCH STUDENT FUNDING	0	132,146,400



1	(03) ALTERNATIVE LEARNING ENVIRONMENT		
2	STUDENT FUNDING	0	15,914,438
3	(04) ENGLISH LANGUAGE LEARNER STUDENT		
4	FUNDING	0	3,128,210
5	(05) PROFESSIONAL DEVELOPMENT FUNDING	0	22,251,515
6	(06) GENERAL FACILITIES FUNDING	0	8,115,181
7	(07) DEBT SERVICE FUNDING SUPPLEMENT	0	27,535,288
8	(08) STUDENT GROWTH FUNDING	0	41,291,748
9	(09) ISOLATED FUNDING	0	9,076,387
10	(10) SPECIAL EDUCATION CATASTROPHIC OCCURRENCES	0	8,800,000
11	(11) COURT ORDERED DESEGREGATION	0	56,800,000
12	(12) VIRTUAL CHARTER SCHOOL	0	4,800,000
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 0</u>	<u>\$2,090,610,259</u>

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

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

17 TEACHERS IN SPECIAL SETTINGS BONUS FUNDING. If sufficient appropriation or

18 funds, or both, are not available in the budgets of the following agencies as

19 approved by the Chief Fiscal Officer of the State during the 2004-05 Fiscal

20 Year to fully provide a one-time \$2,500 bonus to each full time equivalent

21 certified teacher employed by either the Department of Education - Education

22 Service Cooperatives, or the Department of Human Services Human Development

23 Centers, Intermediate Care Facilities for the Mentally Retarded for Children,

24 and the Division of Youth Services - Residential, or the School for

25 Mathematics, Sciences and the Arts, or the Arkansas National Guard Youth

26 Challenge Program and the Civilian Student Training Program, or the

27 Department of Workforce Education Adult Education, or the School for the

28 Blind or the School for the Deaf, the Chief Fiscal Officer of the State shall

29 transfer the amount of moneys necessary from the Merit Adjustment Fund and

30 any necessary appropriation, from that authorized to the Department of

31 Finance and Administration for Regular Salaries for transfer to state

32 agencies, to the various fund or fund accounts of the agencies listed herein

33 in order to provide the one-time \$2,500 bonus to eligible teachers.

34 Further, the appropriation and funds authorized herein for the bonus shall

35 not be spent until the agencies have submitted a list of proposed payments to

36 the Chief Fiscal Officer of the State for approval. Such information shall

1 be submitted in such form and content as may be required by the Chief Fiscal  
2 Officer of the State.

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

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7 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
8 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON-AGENCY  
9 CERTIFIED TEACHERS IN SPECIAL SETTINGS BONUS FUNDING PROVISION. During the  
10 2004-05 fiscal year each school district that contracts with or otherwise  
11 receives teaching services for its students shall pay to the applicable  
12 provider of service, utilizing the October 1 Child Find Report, a one-time  
13 bonus in an amount equal to \$2,500 for each full time equivalent certified  
14 teacher employed by the provider that is providing the services to school  
15 district students. Immediately upon receiving the monies from the school  
16 district the provider of service shall make available the \$2,500 one-time  
17 bonus to each of its full time equivalent certified teachers that are  
18 providing the services to school district students. Further, the school  
19 district shall provide the one-time bonus in an amount equal to \$2,500 per  
20 full time equivalent certified teacher to those teachers providing Adult  
21 Education services to students of the school district.

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

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26 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
28 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal  
29 Officer of the State shall transfer on his books and those of the State  
30 Treasurer and the Auditor of the State the sum of four hundred seven thousand  
31 five hundred dollars (\$407,500) from funds received from the Jobs and Growth  
32 Tax Relief Reconciliation Act of 2003, Public Law 108-27, to the  
33 Developmental Disabilities Services Fund Account for providing a one-time  
34 bonus of \$2,500 for each full time equivalent certified teacher employed by a  
35 private provider that is providing teaching services to children ages 3 to 5  
36 years old.

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

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 5 Section 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON-AGENCY  
 7 CERTIFIED TEACHERS IN SPECIAL SETTINGS BONUS FOR CHILDREN AGES 3 TO 5 YEARS  
 8 OLD. The Department of Human Services - Developmental Disabilities Services,  
 9 utilizing the October 1 Child Find Report, shall provide a one-time bonus of  
 10 \$2,500 for each full time equivalent certified teacher employed by a private  
 11 provider that is providing teaching services to children ages 3 to 5 years  
 12 old. Immediately upon receiving the monies from the Department of Human  
 13 Services - Developmental Disabilities Services Division the provider of  
 14 service shall make available the \$2,500 one-time bonus to each of its full  
 15 time equivalent certified teachers that are providing the services to  
 16 children ages 3 to 5 years old.

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

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 21 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
 22 authorized by this act shall be limited to the appropriation for such agency  
 23 and funds made available by law for the support of such appropriations; and  
 24 the restrictions of the State Purchasing Law, the General Accounting and  
 25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 26 Procedures and Restrictions Act, or their successors, and other fiscal  
 27 control laws of this State, where applicable, and regulations promulgated by  
 28 the Department of Finance and Administration, as authorized by law, shall be  
 29 strictly complied with in disbursement of said funds.

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 31 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 32 that any funds disbursed under the authority of the appropriations contained  
 33 in this act shall be in compliance with the stated reasons for which this act  
 34 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 35 and Legislative Recommendations contained in the budget manuals prepared by  
 36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or  
2 Joint Budget Committee which relate to its passage and adoption.

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4 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
5 Assembly, that the Constitution of the State of Arkansas prohibits the  
6 appropriation of funds for more than a two (2) year period; that due to the  
7 November 2002 Arkansas Supreme Court decision regarding the inadequacy of  
8 Arkansas public schools the effectiveness of this Act on the date of its  
9 passage and approval is essential to the operation of the agency for which  
10 the appropriations in this Act are provided, and that in the event of an  
11 extension of the Second Extraordinary Session, the delay in the effective  
12 date of this Act beyond the date of its passage and approval could work  
13 irreparable harm upon the proper administration and provision of essential  
14 governmental programs. Therefore, an emergency is hereby declared to exist  
15 and this Act being necessary for the immediate preservation of the public  
16 peace, health and safety shall be in full force and effect from and after the  
17 date of its passage and approval.

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