

1 State of Arkansas
2 89th General Assembly
3 First Extraordinary Session, 2013
4

Call Item 6

A Bill

SENATE BILL 3

5 By: Senator A. Clark
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID
9 FOR LEGAL FEES AND COURT COSTS FOR QUALIFYING LOCAL
10 SCHOOL DISTRICTS FOR THE DEPARTMENT OF EDUCATION FOR
11 THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 GRANTS AND AID FOR LEGAL FEES AND COURT
17 COSTS APPROPRIATION FOR THE 2013-2014
18 FISCAL YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. APPROPRIATION - LEGAL FEES AND COURT COSTS. There is
25 hereby appropriated, to the Department of Education, to be payable from the
26 Department of Education Public School Fund Account, for grants and aid to
27 qualifying local school districts for legal fees and court costs associated
28 with litigation pertaining to the Uniform Rate of Tax as used in the
29 Foundation Funding calculation by the Department of Education for the fiscal
30 year ending June 30, 2014, the sum of.....\$340,000.
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32 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RULES AND
34 REGULATIONS - GRANTS FOR LEGAL FEES AND COURT COSTS. The Arkansas Department
35 of Education may promulgate rules and regulations for the distribution of
36 grants and aid to local school districts for legal fees and court costs



1 associated with litigation pertaining to the Uniform Rate of Tax as used in
2 the Foundation Funding calculation and incurred prior to the effective date
3 of this act.

4 The provisions of this section shall be in effect only through June 30,
5 2014.

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7 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
9 TRANSFER - GRANTS FOR LEGAL FEES AND COURT COSTS. Immediately upon the
10 effective date of this Act, the Chief Fiscal Officer of the State shall
11 transfer on his or her books and those of the State Treasurer and the Auditor
12 of State the sum of three hundred forty thousand dollars (\$340,000) from the
13 unobligated balances in the General Improvement Fund to the Department of
14 Education Public School Fund Account to provide funds for grants and aid to
15 qualifying local school districts for legal fees and court costs associated
16 with litigation pertaining to the Uniform Rate of Tax as used in the
17 Foundation Funding calculation and incurred prior to the effective date of
18 this act. Prior to June 30, 2014, if there are any unobligated and
19 unexpended balances of the funds transferred under this section, the
20 unobligated and unexpended balances shall be transferred back to the
21 unobligated balances in the General Improvement Fund.

22 The provisions of this section shall be in effect only through June 30,
23 2014.

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

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35 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
36 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.
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8 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on the date of its passage and approval is
12 essential to the operation of the agency for which the appropriations in this
13 Act are provided, and that in the event of an extension of the legislative
14 session, the delay in the effective date of this Act beyond the date of its
15 passage and approval could work irreparable harm upon the proper
16 administration and provision of essential governmental programs. Therefore,
17 an emergency is hereby declared to exist and this Act being necessary for the
18 immediate preservation of the public peace, health and safety shall be in
19 full force and effect from and after the date of its passage and approval.

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

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