

SUMMARY OF GENERAL & FISCAL LEGISLATION

.....

85TH GENERAL ASSEMBLY
OF THE STATE OF ARKANSAS

FIRST EXTRAORDINARY SESSION
April 3, 2006 – April 21, 2006

.....



**Bureau of Legislative Research
May 2006**



STATE OF ARKANSAS
BUREAU OF
LEGISLATIVE RESEARCH

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May 3, 2006

TO: MEMBERS OF THE ARKANSAS GENERAL ASSEMBLY

The Bureau of Legislative Research is pleased to have prepared for your use this combined **Summary of Action of General and Fiscal Legislation** representing the enactments of the Eighty-Fifth General Assembly of the State of Arkansas during the First Extraordinary Session of 2006.

The summary also includes information concerning the dates and lengths of previous legislative sessions dating back to 1953, as well as a schedule reflecting authorized transfers from the General Improvement Fund and from the General Revenue Allotment Reserve Fund.

Please note that according to a recent Attorney General Opinion (Opinion No. 2006 – 080), it was confirmed that acts of the General Assembly with no emergency clause or specified effective date become effective ninety full days after Sine Die adjournment of the session in which they were enacted. Since the General Assembly adjourned Sine Die on April 21, 2006, the effective date of acts passed during the First Extraordinary Session of 2006 has been calculated to be July 21, 2006.

In the near future you will also be provided with a list of Arkansas Code sections amended during this extraordinary session

It is our belief that this summary will prove a good resource for you when explaining recent legislative activity to the citizens of Arkansas. If you would like additional information, the Bureau of Legislative Research staff and I are available and pleased to be of assistance.

Sincerely,

Tony R. Minicozzi, Jr.
Director
Bureau of Legislative Research

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SUMMARY OF GENERAL LEGISLATION

CITIES AND COUNTIES

SHIELDED OUTDOOR LIGHTING FIXTURES

Act 11 (HB1027) - The act exempts cities and counties from the requirement of shielded outdoor lighting fixtures if the governing body determines by ordinance that the cost of acquiring the fixtures will be cost prohibitive. The act removes the prohibition on the use of state funds for the installation of the fixtures.

CRIMINAL LAW AND PROCEDURE

DISTURBING THE PEACE

VIOLATION OF THE PROTECTION OF PEACE FOR MOURNING AT A FUNERAL

Act 1 (HB1006) - The act creates the offense of violation of the protection of the peace for mourning at a funeral and makes it unlawful for a person to knowingly picket a funeral within one hundred fifty feet (150') of the funeral, during the funeral, or thirty (30) minutes before or after the funeral, and with the intention to interfere with the funeral. The act contains an emergency clause and becomes effective on 4/7/06.

ELECTRONIC MONITORING OF SEX OFFENDERS

Act 4 (HB1005) - The act increases the penalty classification from a Class D felony to a Class C felony for a sex offender who fails to register, report changes of certain information, or cooperate with the assessment process. The act added provisions concerning sex offender registration, assessment, and community notification. The act requires a sex offender subject to lifetime registration under § 12-12-919 to report in person two (2) times a year to reregister. The act also requires electronic monitoring of a sexually violent predator for a period of not less than ten (10) years from the date of the sex offender's release from incarceration. The act establishes new crimes and penalties in the Sex Offender Registration Act of 1997 regarding reregistration, electronic monitoring, and the failure to provide information as required by § 12-12-906(b)(2). The act authorizes a health care professional with prescriptive authority to request a criminal background check on a person prior to writing a prescription to the person for a drug to treat erectile dysfunction. The act added provisions concerning immunity for providing, requesting, or accessing medical records or other information relating to sex offenders. The act contains an emergency clause and becomes effective on 4/7/06.

EXPLOSIVE MATERIAL

Act 14 (SB10) - The act repeals the offense of unlawful receipt or possession of an explosive material. The act contains an emergency clause and becomes effective on 4/10/06.

SENTENCING AND DISPOSITION OF OFFENDERS

Act 5 (HB1004) - The act provides that a habitual offender who has previously been convicted of a serious felony involving violence shall be sentenced to life in prison without the possibility of parole upon conviction of rape, § 5-14-103, or sexual assault in the first degree, § 5-14-124, involving a victim less than fourteen (14) years of age. The act also establishes a minimum term of imprisonment of twenty-five (25) years for the offense of rape if the victim is less than fourteen (14) years of age.

ADMINISTRATIVE RULES

Act 38 (HB1016) - The act requires more detailed cost projections in financial impact statements for administrative rules promulgated by the State Board of Education and the State Board of Workforce Education and Career Opportunities. The act contains an emergency clause and becomes effective on 4/11/06.

EDUCATION

COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION

Act 32 (HB1013) - The act places the Division of Public School Academic Facilities and Transportation under the Department of Education and provides for the continued existence of the Commission for Arkansas Public School Academic Facilities and Transportation. The act specifies that the division is under the direction, supervision, and control of the commission. The act contains an emergency clause and becomes effective on 4/11/06. (This act has the same language as Act 33 of the 1st Extraordinary Session of 2006.)

Act 33 (SB1) - The act places the Division of Public School Academic Facilities and Transportation under the Department of Education and provides for the continued existence of the Commission for Arkansas Public School Academic Facilities and Transportation. The act specifies that the division is under the direction, supervision, and control of the commission. The act contains an emergency clause and becomes effective on 4/11/06. (This act has the same language as Act 32 of the 1st Extraordinary Session of 2006.)

DIVISION OF PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION

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EDUCATION STUDIES

Act 37 (HB1030) - The act provides that any conclusions or recommendations arising from education studies shall not be binding upon the General Assembly.

FACILITIES

9% DEDICATED TO MAINTENANCE AND UTILITIES

Act 19 (SB27) - The Educational Adequacy Act of 2006 amends the minimum teacher compensation schedule to provide a 1.6% increase for the 2005-2006 school year and a 2.4% increase for the 2006-2007 school year. It increases the foundation funding provided under the Public School Funding Act of 2003 to \$5,486 for the 2005-2006 school year and \$5,620 for the 2006-2007 school year and provides an additional \$42 per student for the two (2) school years to reimburse school districts for the increase from 13% to 14% in the teacher retirement contribution rate. The act also repeals the authority of the Arkansas Teacher Retirement System to increase the employer contribution rate for teacher retirement. The act further allows that the nine percent (9%) of foundation funding dedicated to payment of utilities and costs of maintenance, repair, and renovation activities applies to all public school facilities. The effective date of this act is April 11, 2006.

EDUCATION

BONDED INDEBTEDNESS

Act 23 (SB2) - The act repeals the statutory limitation on bonded indebtedness for school districts. The act contains an emergency clause and becomes effective on 4/11/06.

EXTRAORDINARY CIRCUMSTANCES PROGRAM

Act 34 (HB1036) - The act requires the Commission for Public School Academic Facilities and Transportation to develop by rule the Academic Facilities Extraordinary Circumstances Program under which the Division of Public School Academic Facilities and Transportation shall provide state financial assistance to eligible school districts that do not have sufficient means to contribute an amount of local resources necessary to qualify for state financial participation under the primary state academic facilities funding programs. The act contains an emergency clause and becomes effective on 4/11/06.

Act 35 (SB22) - The act requires the Commission for Public School Academic Facilities and Transportation to develop by rule the Academic Facilities Extraordinary Circumstances Program under which the Division of Public School Academic Facilities and Transportation shall provide state financial assistance to eligible school districts that do not have sufficient means to contribute an amount of local resources necessary to qualify for state financial participation under the primary state academic facilities funding programs. The act contains an emergency clause and becomes effective on 4/11/06.

FUND BALANCES

Act 28 (SB7) - The act mandates increased reporting on public school district fund balances and requires a study of improved reporting systems before the convening of the 86th General Assembly. The act contains an emergency clause and becomes effective on 4/11/06. (This act has the same language as Act 29 of the 1st Extraordinary Session of 2006.)

Act 29 (HB1018) - The act mandates increased reporting on public school district fund balances and requires a study of improved reporting systems before the convening of the 86th General Assembly. The act contains an emergency clause and becomes effective on 4/11/06. (This act has the same language as Act 28 of the 1st Extraordinary Session of 2006.)

FUND TRANSFERS

Act 20 (SB21) - The act excludes the Educational Facilities Partnership Fund Account from the funds and fund accounts in the Revenue Stabilization Law that would receive a proportionate reduction if the Chief Fiscal Officer of the State determines that sufficient revenue is not available to fund an adequate educational system.

FUNDING

DECLINING ENROLLMENT

Act 21 (SB24) - The act provides school districts with declining enrollment additional funding equal to the difference between the average of the two (2) immediately preceding years' average daily membership and the average daily membership for the previous school year multiplied by \$5,620 or special needs isolated funding under § 6-20-604. A school district may receive both declining enrollment funding and special needs funding only if sufficient funding is available. The effective date of the act is April 11, 2006.

FOUNDATION FUNDING

Act 19 (SB27) - The Educational Adequacy Act of 2006 amends the minimum teacher compensation schedule to provide a 1.6% increase for the 2005-2006 school year and a 2.4% increase for the 2006-2007 school year. It increases the foundation funding provided under the Public School Funding Act of 2003 to \$5,486 for the 2005-2006 school year and \$5,620 for the 2006-2007 school year and provides an additional \$42 per student for the two (2) school years to reimburse school districts for the increase from 13% to 14% in the teacher retirement contribution rate. The act also repeals the authority

of the Arkansas Teacher Retirement System to increase the employer contribution rate for teacher retirement. The act further allows that the nine percent (9%) of foundation funding dedicated to payment of utilities and costs of maintenance, repair, and renovation activities applies to all public school facilities. The effective date of this act is April 11, 2006.

NATIONAL SCHOOL LUNCH STUDENT FUNDING (NSLA)

Act 30 (SB26) - The act allows school districts to use National School Lunch Student Funding for teachers' salaries if the school district meets the minimum teacher salary requirements without using the funds or the school district was using the funds to supplement teacher salaries as of January 1, 2006. The act contains an emergency clause and becomes effective on 4/11/06. (This act has the same language as Act 31 of the 1st Extraordinary Session of 2006).

Act 31 (HB1040) - The act allows school districts to use National School Lunch Student Funding for teachers' salaries if the school district meets the minimum teacher salary requirements without using the funds or the school district was using the funds to supplement teacher salaries as of January 1, 2006. The act contains an emergency clause and becomes effective on 4/11/06. (This act has the same language as Act 30 of the 1st Extraordinary Session of 2006).

GENERAL EDUCATION

COORDINATION OF UNIFORM REPORTING OF PROPERTY TAX INFORMATION

Act 27 (SB6) - The act establishes a mechanism for developing uniform reporting of property tax assessment, settlement, and collection information by the counties to the Assessment Coordination Department with input from all of the stakeholders. The act is designed to assist in the General Assembly with data collection as may be necessary to address the issue raised in the most recent Lake View opinion regarding the education funding formula and the statutorily set ninety-eight percent (98%) collection rate that is presumed for school taxes. The act contains an emergency clause and becomes effective on 4/11/06.

COORDINATION OF UNIFORM REPORTING OF TAX COLLECTIONS

Act 26 (HB1009) - The act establishes a mechanism for developing uniform reporting of property tax assessment, settlement, and collection information by the counties to the Assessment Coordination Department with input from all of the stakeholders. The act is designed to assist in the General Assembly with data collection as may be necessary to address the issue raised in the most recent Lake View opinion regarding the education funding formula and the statutorily set ninety-eight percent (98%) collection rate that is presumed for school taxes. The act contains an emergency clause and becomes effective on 4/11/06.

PERSONNEL

PARITY IN INSURANCE BENEFITS

Act 24 (SB4) - The act requires school districts to provide the same health insurance benefits for all full-time school district employees and to pay the same employer contribution rate for each employee participating in the public school employees' health insurance program. The effective date of this act is April 11, 2006. (This act has the same language as Act 25 of the 1st Extraordinary Session of 2006.)

Act 25 (HB1008) - The act requires school districts to provide the same health insurance benefits for all full-time school district employees and to pay the same employer contribution rate for each employee participating in the public school employees' health insurance program. The effective date of this act is April 11, 2006. (This act has the same language as Act 24 of the 1st Extraordinary Session of 2006).

EDUCATION

PROFESSIONAL DEVELOPMENT

Act 36 (HB1012) - The act requires the Department of Education to enhance its leadership role in professional development by developing technology-based professional development programs and employing two (2) persons who have a high level of expertise in professional development. The act requires the Chief Fiscal Officer of the State to transfer from the unexpended balances of the Department of Education Public School Fund Account to the Department of Education Fund Account the sum of four hundred seventy-five thousand seven hundred sixty-two dollars (\$475,762) to provide funding for the personal services and operating expenses of enhanced professional development programs. The act contains an emergency clause and becomes effective on 4/11/06.

SCHOOL FINANCE

BONDED INDEBTEDNESS

Act 22 (HB1007) - The act removes the statutory limitation on the percentage of assessed property values that a school district may use to secure bonded indebtedness. The act contains an emergency clause and becomes effective on 4/11/06.

TEACHER OF THE YEAR

Act 17 (HB1031) - The act requires the Department of Education to develop a process for selecting the Arkansas Teacher of the Year and provides that the teacher shall be placed on administrative leave for the year following his or her selection to assist with improving teaching conditions in the state. The act contains an emergency clause and becomes effective on 4/11/06.

ENERGY

SHIELDED OUTDOOR LIGHTING FIXTURES

Act 11 (HB1027) - The act exempts cities and counties from the requirement of shielded outdoor lighting fixtures if the governing body determines by ordinance that the cost of acquiring the fixtures will be cost prohibitive. The act removes the prohibition on the use of state funds for the installation of the fixtures.

HEALTH

CANCER RESEARCH CENTER, ARKANSAS

Act 9 (HB1021) - The act clarifies that the Arkansas Cancer Research Center of the University of Arkansas for Medical Sciences is the Official Cancer Institute of the State of Arkansas and designates the Arkansas Cancer Research Center of the University of Arkansas for Medical Sciences as a capitol improvement project under the Tobacco Settlement Proceeds Act. The act also authorizes the issuance of additional tobacco settlement revenue bonds for the designated capitol improvement project. The act contains an emergency clause and becomes effective on 4/7/06.

SMOKING

PUBLIC SMOKING

Act 8 (SB19) - The act prohibits smoking in all vehicles and buildings owned, leased, or operated by the State of Arkansas or any entity created by law, ordinance, or resolution. The act prohibits smoking in all public places, prohibits retaliation for reporting of violations, and requires that all public places give notice of the smoke-free requirement to all employees. Specified entities may exempt areas within their buildings. The act requires posting of notice, removal of installed ashtrays, and makes violations in long-term care facilities grounds for a finding of deficiency. The State Board of Health may promulgate rules under the act and the Department of Health and Human Services may enforce those rules. Violations of the act may result in a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

HEALTH

SMOKING

SMOKING IN VEHICLE WITH CHILDREN

Act 13 (HB1046) - The act prohibits smoking in all motor vehicles in which a child who is less than six (6) years of age and who weighs less than sixty pounds (60 lbs.) is restrained in a child passenger safety seat. Violations of the act may result in a fine not to exceed twenty-five dollars (\$25.00)

LABOR AND INDUSTRIAL RELATIONS

MINIMUM WAGE

Act 15 (SB11) - The minimum wage is increased from \$5.15 to \$6.25. The increase applies both to employees who have been covered by the state minimum wage and employees who have been covered by the federal minimum wage. The minimum wage for students is 85% of the minimum wage. The rate for employees who receive tips is 42% of the minimum wage. In addition to existing remedies for failure to pay wage, the minimum wage, or overtime compensation, an employee may be awarded an additional amount up to the amount of wages owed. The act clarifies that the employee may enforce his or her rights by bringing a civil action in court. The provisions of the act are effective 10/1/06. (This act has the same language as Act 16 of the 1st Extraordinary Session of 2006.)

Act 16 (HB1033) - The minimum wage is increased from \$5.15 to \$6.25. The increase applies both to employees who have been covered by the state minimum wage and employees who have been covered by the federal minimum wage. The minimum wage for students is 85% of the minimum wage. The rate for employees who receive tips is 42% of the minimum wage. In addition to existing remedies for failure to pay wage, the minimum wage, or overtime compensation, an employee may be awarded an additional amount up to the amount of wages owed. The act clarifies that the employee may enforce his or her rights by bringing a civil action in court. The provisions of the act are effective 10/1/06. (This act has the same language as Act 15 of the 1st Extraordinary Session of 2006.).

PUBLIC SMOKING

Act 8 (SB19) - The act prohibits smoking in all vehicles and buildings owned, leased, or operated by the State of Arkansas or any entity created by law, ordinance, or resolution. The act prohibits smoking in all public places, prohibits retaliation for reporting of violations, and requires that all public places give notice of the smoke-free requirement to all employees. Specified entities may exempt areas within their buildings. The act requires posting of notice, removal of installed ashtrays, and makes violations in long-term care facilities grounds for a finding of deficiency. The State Board of Health may promulgate rules under the act and the Department of Health and Human Services may enforce those rules. Violations of the act may result in a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

MILITARY AND VETERANS

FUNERALS

VIOLATION OF THE PROTECTION OF THE PEACE FOR MOURNING AT A FUNERAL

Act 1 (HB1006) - The act creates the offense of violation of the protection of the peace for mourning at a funeral and makes it unlawful for a person to knowingly picket a funeral within one hundred fifty feet (150') of the funeral, during the funeral, or thirty (30) minutes before or after the funeral, and with the intention to interfere with the funeral. The act contains an emergency clause and becomes effective on 4/7/06.

MOTOR VEHICLES

SMOKING IN VEHICLE IF CHILD IS PRESENT

Act 13 (HB1046) - The act prohibits smoking in all motor vehicles in which a child who is less than six (6) years of age and who weighs less than sixty pounds (60 lbs.) is restrained in a child passenger safety seat. Violations of the act may result in a fine not to exceed twenty-five dollars (\$25.00)

RETIREMENT

TEACHER RETIREMENT

Act 19 (SB27) - The Educational Adequacy Act of 2006 amends the minimum teacher compensation schedule to provide a 1.6% increase for the 2005-2006 school year and a 2.4% increase for the 2006-2007 school year. It increases the foundation funding provided under the Public School Funding Act of 2003 to \$5,486 for the 2005-2006 school year and \$5,620 for the 2006-2007 school year and provides an additional \$42 per Average Daily Membership for the two (2) school years to reimburse school districts for the increase from 13% to 14% in the teacher retirement contribution rate. The act also repeals the authority of the Arkansas Teacher Retirement System to increase the employer contribution rate for teacher retirement. The act further allows that the nine percent (9%) of foundation funding dedicated to payment of utilities and costs of maintenance, repair, and renovation activities applies to all public school facilities. The effective date of this act is April 11, 2006.

TAXES

BIODIESEL FUEL

Act 10 (HB1002) - The act encourages the production of biodiesel fuel by providing that the tax incentive for producing a biodiesel mixture also includes a biodiesel mixture that contains more than 2% biodiesel fuel. If the amount of biodiesel fuel exceeds two percent (2%) of the total biodiesel mixture, the refund is limited to two percent (2%) of the total gallons of biodiesel mixture. The act contains an emergency clause and becomes effective on 4/10/06.

PROPERTY TAX

COORDINATION OF UNIFORM REPORTING BY COUNTIES

Act 26 (HB1009) - The act establishes a mechanism for developing uniform reporting of property tax assessment, settlement, and collection information by the counties to the Assessment Coordination Department with input from all of the stakeholders. The act is designed to assist in the General Assembly with data collection as may be necessary to address the issue raised in the most recent Lake View opinion regarding the education funding formula and the statutorily set ninety-eight percent (98%) collection rate that is presumed for school taxes. The act contains an emergency clause and becomes effective on 4/11/06.

Act 27 (SB6) - The act establishes a mechanism for developing uniform reporting of property tax assessment, settlement, and collection information by the counties to the Assessment Coordination Department with input from all of the stakeholders. The act is designed to assist in the General Assembly with data collection as may be necessary to address the issue raised in the most recent Lake View opinion regarding the education funding formula and the statutorily set ninety-eight percent (98%) collection rate that is presumed for school taxes. The act contains an emergency clause and becomes effective on 4/11/06.

SUMMARY OF FISCAL LEGISLATION

EDUCATION, ARKANSAS DEPARTMENT OF

Act 18 (SB12) - First Extraordinary Session, 2006

- Teacher of the Year: Provides an appropriation of \$125,000 for FY 2006-2007 for the Arkansas Teacher of the Year.

Act 20 (SB21) - First Extraordinary Session, 2006

- State Foundation and Other Programs: Provides appropriations supplemental to the appropriations provided in Act 2131 of 2005 payable from the Department of Education Public School Fund Account for the following programs:

<u>Program</u>	<u>FY2005-06</u>	<u>FY2006-07</u>
State Foundation Funding	\$ 57,800,000	\$ 74,725,000
Declining Enrollment Districts	0	10,000,000
Special Needs Isolated Funding	<u>0</u>	<u>3,000,000</u>
Total Amount Appropriated	\$ 57,800,000	\$ 87,725,000

The additional amounts authorized for State Foundation Funding provides for an increase in the Average Daily Membership (ADM) from \$5,400 to \$5,486 in FY2005-06 and to \$5,620 in FY2006-07 at a cost of \$38.7 million in FY2005-06 and \$55.6 million in FY2006-07.

State Foundation Funding also includes \$19.1 million each year to pay for increased school district costs resulting from an increase in the contribution rate of the Arkansas Teacher Retirement System from thirteen percent (13%) to fourteen percent (14%). In addition, Act 19 of the First Extraordinary Session of 2006 increases State Foundation Funding by forty-two dollars (\$42) per ADM each year of the biennium as the mechanism for distributing the increased funding for retirement contributions. This additional \$42 per Average Daily Membership, raises the total per ADM amount for school districts to \$5,528 in FY2005-06 and \$5,662 in FY2006-07.

State Foundation Funding appropriation for FY2006-07 also includes \$25,000 for Vision Screening.

- Enhanced Professional Development and Uniform Reporting: Provides appropriations supplemental to the appropriations provided in Act 2126 of 2005 payable from the Department of Education Fund Account for the following programs:

<u>Program</u>	<u>FY2005-06</u>	<u>FY2006-07</u>
Enhanced Professional Development Programs	\$ 295,247	\$ 180,515
Uniform Reporting Requirements	<u>500,000</u>	<u>0</u>
	\$ 795,247	\$ 180,515

- Enhanced Professional Development: Authorizes two (2) positions for the Enhanced Professional Development Programs which are supplemental to the positions authorized by Act 2126 of 2005. The positions are: Education Associate Director of Professional Development - Grade 26 and Public School Program Advisor - Grade 21.

- Public School Academic Facilities: Provides appropriations supplemental to Act 2138 of 2005 for the Division of Public School Academic Facilities and Transportation payable from the Educational Facilities Partnership Fund Account, for the following programs:

<u>Program</u>	<u>FY2005-06</u>	<u>FY2006-07</u>
Academic Facilities Catastrophic	\$ 0	\$ 0
Academic Facilities Extraordinary Circumstances Program	0	0
Academic Facilities Immediate Repair	0	0
Transitional Academic Facilities	25,000,000	0
Academic Facilities Partnership	<u>25,000,000</u>	<u>0</u>
Total Amount Appropriated	\$ 50,000,000	\$ 0

- Funding for the Educational Facilities Partnership Fund Account is provided by a transfer from the General Improvement Fund up to \$50,000,000, and a transfer from the Public School Facilities Fund of \$2,449,982.
- Public School Academic Facilities and Transportation: Authorizes one (1) position for the Division of Public School Academic Facilities and Transportation which is supplemental to the positions authorized by Act 2138 of 2005. The position authorized: Senior Transportation Manager - Grade 26.
- Special Language - Transfer Authority – Division Of Public School Academic Facilities And Transportation: Establishes transfer authority for the Division to request necessary appropriation transfers and any other budget related adjustments necessary for the various Academic Facilities Program appropriations in this Act.
- Special Language - Carry Forward: Allows the Division of Public School Academic Facilities and Transportation to carry forward unexpended balances of appropriations provided to the Division in this Act from the first year to the second year of the 2005-2007 biennium.
- Special Language - Carry Forward: Allows the Department of Education to carry forward unexpended balances of appropriations provided to the Department for Enhanced Professional Development in this Act from the first year to the second year of the 2005-2007 biennium.
- Special Language: Amends Arkansas Code 19-5-1227 (d) to exempt the Educational Facilities Partnership Fund Account from receiving a proportionate reduction if the Chief Fiscal Officer of the State determines that sufficient revenue is not available to fund an adequate educational system.
- Special Language - Academic Facilities Fund Transfers Authorized: Authorizes the Chief Fiscal Officer of the State to set aside \$50 million of unobligated balances in the General Improvement Fund for transfer from time to time, to the Educational Facilities Partnership Fund Account in amounts certified by the Director of the Division and as recommended by the Commission on Public School Academic Facilities and Transportation to and approved by the Chief Fiscal Officer of the State, upon prior approval by the Arkansas Legislative Council or Joint Budget Committee, when fund balances in the Educational Facilities Partnership Fund Account fall below \$21,280,590.
- Special Language - Academic Facilities Fund Transfer: Public School Facilities Fund. Authorizes the Chief Fiscal Officer of the State to transfer the fund balance in the Public

School Facilities Fund, \$2,449,982, to the Educational Facilities Partnership Fund Account.

- Special Language - State Foundation, Special Needs Isolated, and Declining Enrollment Funding Transfers Authorized: Provides a fund transfer of \$12,756,199 in FY2005-06 and \$56,125,000 in FY2006-07 from the unobligated balances in the General Improvement Fund to the Department of Education Public School Fund Account for a State Foundation Funding
- Cost of Living Adjustment, an increase in the Teacher Retirement Matching Percentage from 13% to 14%, Vision Screenings, Special Needs Isolated Districts, and Declining Enrollment Districts. Provides for the repayment of the General Improvement Fund transfers from the Department of Education Public School Fund Account if Educational Adequacy Fund net collections exceed \$418.6 million in FY2005-06 and \$428 million in FY2006-07, and from the General Revenue Allotment Reserve Fund from monies that exceed the amounts needed to fund the Revenue Stabilization Law allocations for FY2005-06 and FY2006-07.
- Special Language - Fund Transfers Authorized for Enhanced Professional Development Programs: The fund transfer authority authorized for the Enhanced Professional Development Programs in this act is prohibited by Section 2 of Act 36 of the 1st Extraordinary Session. Section 2 of Act 36 authorizes the Chief Fiscal Officer of the State to transfer \$475,762 of the unexpended balances in the Department of Education Public School Fund Account to the Department of Education Fund Account to provide funding for the personal services and operating expenses of the Enhanced Professional Development Program. The funds are to enhance the departments leadership role in professional development for certified personnel by developing technology-based professional development programs and other enhanced professional development options for school districts and certified personnel; and by employing two (2) persons who have a high level of expertise in professional development for the purpose of enhancing professional development opportunities as set forth in Section 1 of Act 36 of the First Extraordinary Session of 2006.
- Special Language - Fund Transfers Authorized for Uniform Financial Reporting Programs: Provides a fund transfer of \$500,000 from the unobligated balances in the General Improvement Fund to the Department of Education Fund Account for the development of uniform financial reporting requirements for school district fund balances as required by Acts 28 and 29 of the First Extraordinary Session of 2006. Provides for a repayment of the fund transfer from the General Revenue Allotment Reserve Fund from monies that exceed the amounts needed to fund the Revenue Stabilization Law allocations for FY2005-06.
- Special Language - Feasibility Study: Amends Section 26 of Act 2126 of 2005 by removing the maximum amount of \$250,000 to evaluate and determine if the Pulaski County Special School District should continue in existence.
- Special Language - Declining Districts And Special Needs Isolated - Funding Restrictions. Allows the transfer of funds from the Educational Adequacy Fund for Declining Enrollment districts if funding needs exceed \$10 million and no excess funds are available from the Special Needs Isolated Program. Allows Special Needs Isolated districts' excess funding to be used for Declining Enrollment districts. Allows Declining Enrollment districts' excess funding to be distributed to Special Needs Isolated districts.

Provides that the \$10 million for declining enrollment and the \$3 million for special needs is sufficient, but allows transfers from the Educational Adequacy Fund if Declining Enrollment district funds are not sufficient. Special Needs Isolated districts can only receive Declining Enrollment funding if sufficient funds are available.

DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER

Act 6 (SB 14) - First Extraordinary Session, 2006

- Provides \$175,000 in FY2005-06 and \$197,750 in FY2006-07 in appropriation to be payable from the Miscellaneous Agencies Fund Account solely from monies generated by Section 1(a)(4) of Act 2219 of 2005, for a grant to the Arkansas Prostate Cancer Foundation for increased funding for cancer detection and research.

Act 12 (HB1032) - First Extraordinary Session, 2006

- Provides \$6,000,000 in supplemental appropriation for FY2005-06 to be payable from the Disaster Assistance Fund, for provisions of disaster grants as authorized by the Disaster Relief Act of 1974 and for complying with the Arkansas Emergency Services Act of 1973 (Arkansas Code 12-75-101 et seq.) by the Arkansas Department of Emergency Management.

GOVERNOR'S OFFICE

Act 2 (HB1020) First Extraordinary Session, 2006

- Provides four (4) Extra Help positions and fifteen thousand dollars (\$15,000) payable from the State Central Services Fund for personal services and operating expenses for the 2006 First Extraordinary Session.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Division of Health - Antiviral Stockpile Program

Act 7 (SB 17) First Extraordinary Session, 2006

- Provides an appropriation of \$6 million for an antiviral stockpile and associated costs of an influenza pandemic or other public health emergency for the 2005-2007 biennium.
- Special Language - Fund Transfer Provision: Authorizes the transfer of six million dollars (\$6,000,000) in funding from unobligated funds in the General Improvement Fund to the Public Health Fund.

HIGHER EDUCATION, DEPARTMENT OF

Act 39 (SB16) - First Extraordinary Session, 2006

- Provides an appropriation of \$570,303 for FY2006-07 to the Department of Higher Education payable from the Higher Education Grants Fund Account for grants for the Elementary Science Specialist Program.

HOUSE OF REPRESENTATIVES

Act 3 (HB1001) - First Extraordinary Session, 2006

- Provides seventy-five thousand dollars (\$75,000) payable from the Constitutional Officers Fund for personal services and operating expenses for the House of Representatives for the 2006 First Extraordinary Session.

AUTHORIZED TRANSFERS FROM THE GENERAL IMPROVEMENT FUND

<u>Act/Bill No.</u>	<u>Program Description</u>	<u>FY 2005-06</u>	<u>FY 2006-07</u>
Act 20/SB21	Department of Education - State Foundation Funding Cost of Living Adjustment, Retirement, Declining Enrollment, Isolated Districts and Vision Screening	\$12,756,199	\$56,125,000
Act 20/SB21	Department of Education - Uniform Financial Reporting	500,000	0
Act 20/SB21	Dept. of Education - Academic Facilities (1)	50,000,000	0
Act 7/SB17	Department of Health and Human Services - Antiviral Stockpile Program	6,000,000	0
Total		\$69,256,199	\$56,125,000
Total Authorized Transfers from General Improvement Fund		<u>\$125,381,199</u>	

**AUTHORIZED TRANSFERS FROM THE GENERAL REVENUE ALLOTMENT RESERVE FUND
TO THE GENERAL IMPROVEMENT FUND**

<u>Act/Bill No.</u>	<u>Transfers From Gen. Rev. Allot. Res. Fund</u>	<u>FY 2005-06</u>	<u>FY 2006-07</u>
Act 20/SB21	Estimated Reimbursement to General Improvement Fund from FY2005-06 unallocated general revenue surplus on 6/30/06 (2)	\$12,756,199	0
Act 20/SB21	Estimated Reimbursement to General Improvement Fund from FY2005-06 unallocated general revenue surplus on 6/30/06	500,000	0
Act 20/SB21	Estimated Reimbursement to General Improvement Fund from FY2006-07 unallocated general revenue surplus on 6/30/07(2)	0	\$56,125,000
Total		\$13,256,199	\$56,125,000
Total 2005-07 Biennium Transfers to General Improvement Fund		<u>\$69,381,199</u>	

(1) Before any fund transfers can be made from the General Improvement Fund for academic facilities, the balance of funds in the Educational Facilities Partnership Fund Account has to fall below \$21,280,590.

(2) Less any amounts transferred from the Department of Education Public School Fund Account as set out in Section 13 of Act 20, 1st. Ex. Session.

Enhanced Professional Development Program: Act 20 authorizes the transfer of \$475,762 from the General Improvement Fund to the Department of Education Fund Account but, Act 36 prohibits that transfer and instead authorizes a transfer for the same amount from the Department of Education Public School Fund Account to the Department of Education Fund Account.

GENERAL ASSEMBLY - MEETING DATES

General Assembly	Year	Dates in Session	Total Days
59 th	1953	January 12 - March 12	60
60 th	1955	January 10 - March 10	60
61 st	1957	January 14 - March 1	60
61 st - FES	1957	March 25 - March 27	3
61 st - SES	1958	August 26 - September 12	18
62 nd	1959	January 12 - March 12	60
62 nd - FES	1960	January 19 - January 21	3
63 rd	1961	January 9 - March 9	60
63 rd - FES	1961	August 24 - September 1	9
63 rd - SES	1961	September 18 - September 21	4
64 th	1963	January 14 - March 14	60
64 th - FES	1964	March 24 - March 27	4
65 th	1965	January 11 - March 11	60
65 th - FES	1965	May 24 - June 8	16
65 th - SES	1965	November 2 - November 4	2½
65 th - TES	1965	November 4 - November 6	2½
66 th	1967	January 9 - Recessed March 9, Reconv. March 27, Adjourned March 31	65
66 th - FES	1968	February 5 - February 21	17
66 th - SES	1968	May 20 - May 30	11
67 th	1969	January 13 - Recessed April 11, Reconv. May 5 - Adjourned May 8	93
67 th - FES	1970	March 2 - March 7	6
68 th	1971	January 11 - Recessed April 2, Reconv April 19 - Adjourned April 19	82
68 th - FES	1972	February 7 - February 16	10
69 th	1973	January 8 - Recess on April 5 until April 24- Recess until Jan 14, 1974 - Adjourned Jan 14, 1974	88
69 th - FES	1974	June 24 - Recessed July 12 - Reconv. Aug. 1 - Adjourned Aug 1	19

GENERAL ASSEMBLY - MEETING DATES

General Assembly	Year	Dates in Session	Total Days
70 th	1975	January 13 - March 27 - Recess until Apr. 9 - Adjourned Apr. 9	74
70 th - Exten	1976	January 12 - January 28	17
70 th - FES	1976	September 8 - September 10	3
71 st	1977	January 10 - Recessed March 18 until Apr 6 - Recessed Apr 6 until Aug 14 - Adjourned Aug 14	68
71 st - FES	1977	August 2 - August 5	4
72 nd	1979	January 8 - Recessed April 4, Reconv. Apr. 20 - Adjourned Apr 20	87
72 nd - EXT.	1980	January 7 - January 17	10½
72 nd - FES	1980	January 17 - January 24	7½
72 nd - SES	1980	April 15 - April 18	4
73 rd	1981	January 12, - March 18	66
73 rd - FES	1981	November 16 - November 25	10
74 th	1983	January 10 - Recessed on March 18, Reconv April 4 - Adjn. Apr. 4	68
74 th - FES	1983	October 4 - November 10	37
75 th	1985	January 14 - Recessed March 22, Reconv. March 29 - Adjn. March 29	68
75 th - FES	1985	June 17 - June 21	5
75 th - SES	1986	April 28 - May 1	4
76 th	1987	January 12 - Recessed April 3 - Reconv. April 20 - Adjn. April 20	82
76 th - FES	1987	June 2 - June 5	4
76 th - SES	1987	October 6 - October 9	4
76 th - TES	1988	January 26 - February 5	11
76 th - 4thES	1988	July 11 - July 14, 1988	4
77 th	1989	January 9 - March 17 - Recess until April 3 - Adjn. April 3	68
77 th - FES	1989	June 20 - June 23	4
77 th - SES	1989	July 25 - July 27	3
77 th - TES	1989	October 23 - November 3	12

GENERAL ASSEMBLY - MEETING DATES

General Assembly	Year	Dates in Session	Total Days
78 th	1991	January 14 - March 27 - Recess until April 15 - Adjn. April 15	73
78 th - FES	1992	February 24 - February 27 - Recess until March 4 - Adjn March 4	4
78 th - SES	1992	December 14 - December 18	5
79 th	1993	January 11 - April 8 - Recess until May 14 - Adjn May 14	88
79 th - FES	1994	February 28 - March 2	3
79 th - SES	1994	August 15 - August 24	10
80 th	1995	January 9 - April 7 - Recess until April 28 - Adjn April 28	89
80 th - FES	1995	October 17 - October 20	4
81 st	1997	January 13 - April 17 - Recess until May 2 - Adjn. May 2	96
82 nd	1999	January 11 – April 9 – Recess until April 30 – Adjn. April 30	89
82 nd – FES	2000	April 3 – April 7	5
SES	2000	December 13 – 15	3
83 rd	2001	January 8 – April 13 – Recess until May 14 – Adjn May 14	97
83 rd – FES	2002	June 10 – June 12, 2002	3
84 th – SES	2003	December 8, 2003 – March 4, 2004 – Recess until June 9 – Adjn. June 9	89
85 th	2005	January 10 – April 15 – Recess until May 13 – Adjn. May 13	97
85 th – FES	2006	April 3 – April 7, 2006; Adjn. April 21.	6