

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

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

As Engrossed: H5/6/03
A Bill

Call Item 3
Act 51 of 2003
HOUSE BILL 1017

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

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

14
15 **Subtitle**

16 AN ACT FOR THE DEPARTMENT OF EDUCATION -
17 GRANTS & AIDS TO LOCAL SCHOOL DISTRICTS
18 APPROPRIATION FOR THE 2003-2005
19 BIENNIUM.
20

21
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department
25 of Education, to be payable from the Department of Education Public School
26 Fund Account, for grants and aids to local school districts and special
27 programs of the Department of Education for the biennial period ending June
28 30, 2005, the following:
29

30	ITEM		FISCAL YEARS	
31	<u>NO.</u>		<u>2003-2004</u>	<u>2004-2005</u>
32	(01) SMART START/SMART STEP PROMOTIONAL	\$	50,000	\$ 50,000
33	(02) TECHNOLOGY GRANTS		2,187,575	2,187,575
34	(03) GRANTS TO SCHOOL DISTRICTS		47,000	47,000
35	(04) INTERVENTION BLOCK GRANTS		632,000	632,000
36	(05) BETTER CHANCE GRANTS		13,410,500	13,410,500



1	(06)	SMART START/SMART STEP	11,570,071	12,263,248
2	(07)	LIMITED ENGLISH PROFICIENCY	5,102,900	5,613,190
3	(08)	AT RISK	1,500,000	1,500,000
4	(09)	SPECIAL EDUCATION - CATASTROPHIC	1,000,000	1,000,000
5	(10)	YOUTH SHELTERS	165,000	165,000
6	(11)	TECHNOLOGY IMPROVEMENTS	1,000,000	1,000,000
7	(12)	DISTRESSED SCHOOL DISTRICT SUPPORT	160,000	160,000
8	(13)	POVERTY INDEX	8,500,000	8,500,000
9	(14)	HOME SCHOOL TESTING	50,000	50,000
10	(15)	REVENUE LOSS FUNDING	4,000,000	4,000,000
11	(16)	GENERAL FACILITIES FUNDING	10,000,000	10,000,000
12	(17)	ISOLATED FUNDING	8,400,000	8,700,000
13	(18)	STUDENT GROWTH	22,120,000	23,000,000
14	(19)	ADDITIONAL BASE FUNDING	48,557,770	48,557,770
15	(20)	DEBT SERVICE FUNDING SUPPLEMENT	29,500,000	29,500,000
16	(21)	DEPARTMENT OF CORRECTION	4,027,675	4,037,222
17	(22)	RESIDENTIAL CENTERS/JUVENILE DETENTION	8,767,108	8,767,108
18	(23)	CONSOLIDATION INCENTIVE	2,000,000	3,000,000
19	(24)	INCENTIVE FUNDING	28,373,000	28,373,000
20	(25)	STATE EQUALIZATION FUNDING	1,548,305,000	1,595,570,000
21	(26)	COOPERATIVE ED TECH CENTERS OPERATIONS	750,000	750,000
22	(27)	TEACHER RETIREMENT MATCHING	3,356,000	3,515,000
23	(28)	NATIONAL BOARD OF PROF TEACHING		
24		STANDARDS	714,000	874,000
25	(29)	ADVANCED PLACEMENT INCENTIVE	575,000	575,000
26	(30)	SAFETY TRAINING	750,000	750,000
27	(31)	CRIMINAL BACKGROUND CHECKS	200,000	200,000
28	(32)	ARKANSAS EASTER SEALS	193,113	193,113
29	(33)	PUBLIC SCHOOL EMPLOYEES INSURANCE	1,106,500	1,203,500
30	(34)	SCHOOL FOOD SERVICES	1,650,000	1,650,000
31	(35)	SURPLUS COMMODITIES	630,000	630,000
32	(36)	WORKERS COMPENSATION	450,000	450,000
33	(37)	SCHOOL FOOD - LEGISLATIVE AUDIT	100,000	100,000
34	(38)	GIFTED & TALENTED	1,292,896	1,292,896
35	(39)	SCHOOL WORKER DEFENSE	390,000	390,000
36	(40)	ASSESSMENT/END OF LEVEL TESTING	7,918,481	8,042,258

1	(41)	SERIOUS OFFENDER PROGRAM	807,000	807,000
2	(42)	SPECIAL EDUCATION SERVICES	4,220,285	4,220,285
3	(43)	HUMAN DEVELOPMENT CENTERS ED AID	663,000	663,000
4	(44)	EDUCATION SERVICE COOPERATIVES	4,929,270	4,929,270
5	(45)	EARLY CHILDHOOD SPECIAL EDUCATION	6,298,454	6,298,454
6	(46)	DISTANCE LEARNING	1,000,000	1,000,000
7	(47)	TEACHER LICENSURE/MENTORING	7,799,000	8,299,000
8	(48)	NON-TRADITIONAL LICENSURE GRANTS	50,000	50,000
9	(49)	PYGMALION COMMISSION	40,000	40,000
10	(50)	ALTERNATIVE LEARNING	3,000,000	3,000,000
11	(51)	<i>ECONOMIC EDUCATION</i>	<u>300,000</u>	<u>300,000</u>
12		<i>TOTAL AMOUNT APPROPRIATED</i>	<u>\$1,808,633,598</u>	<u>\$1,860,331,389</u>

13

14 SECTION 2. REGULAR SALARIES - APSCN. There is hereby established for the
 15 Department of Education - Arkansas Public School Computer Network for the
 16 2003-2005 biennium, the following maximum number of regular employees whose
 17 salaries shall be governed by the provisions of the Uniform Classification
 18 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,
 19 and all laws amendatory thereto. Provided, however, that any position to
 20 which a specific maximum annual salary is set out herein in dollars, shall be
 21 exempt from the provisions of said Uniform Classification and Compensation
 22 Act. All persons occupying positions authorized herein are hereby governed
 23 by the provisions of the Regular Salaries Procedures and Restrictions Act
 24 (Arkansas Code §21-5-101), or its successor.

25

26			Maximum Annual			
27			Maximum	Salary Rate		
28	Item	Class	No. of	Fiscal Years		
29	No.	Code	Title	Employees	2003-2004	2004-2005
30	(1)	027Z	ED ASSOC DIRECTOR APSCN	1	GRADE 26	
31	(2)	827Z	DP CENTER MANAGER	1	GRADE 26	
32	(3)	903Z	TECHNICAL ASSISTANCE MANAGER	2	GRADE 24	
33	(4)	D064	SR SYSTEMS PROGRAMMER	1	GRADE 24	
34	(5)	028Z	ED APSCN COOR/INTERNAL OPS	1	GRADE 23	
35	(6)	D124	LEAD PROGRAMMER/ANALYST	2	GRADE 22	
36	(7)	D123	APPLICATIONS & SYSTEMS ANALYST	1	GRADE 21	

1	(8)	R290	PUBLIC SCHOOL PROGRAM ADVISOR	20	GRADE 21
2	(9)	E114	STAFF DEVELOPMENT COORDINATOR	4	GRADE 20
3	(10)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20
4	(11)	A110	ACCOUNTANT II	1	GRADE 19
5	(12)	E072	TRAINING INSTRUCTOR	4	GRADE 18
6	(13)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
7	(14)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17
8	(15)	K155	SECRETARY I	<u>1</u>	GRADE 11
9			MAX. NO. OF EMPLOYEES	43	

10

11 SECTION 3. APPROPRIATION - APSCN. There is hereby appropriated, to the
 12 Department of Education, to be payable from the Department of Education
 13 Public School Fund Account, for personal services and operating expenses of
 14 the Department of Education - Arkansas Public School Computer Network for the
 15 biennial period ending June 30, 2005, the following:

16

17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	2003-2004	2004-2005
19	(01) REGULAR SALARIES	\$ 1,725,052	\$ 1,771,629
20	(02) PERSONAL SERV MATCH	484,487	493,667
21	(03) MAINT. & GEN. OPERATION		
22	(A) OPER. EXPENSE	1,277,495	1,277,495
23	(B) CONF. & TRAVEL	5,250	5,250
24	(C) PROF. FEES	0	0
25	(D) CAP. OUTLAY	0	0
26	(E) DATA PROC.	<u>4,701,424</u>	<u>4,701,424</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,193,708</u>	<u>\$ 8,249,465</u>

28

29 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MATH &
 31 SCIENCE SCHOOL FUND TRANSFER. Any funds which remain in the Department of
 32 Education Public School Fund Account or the Public School Fund for the
 33 Department of Education - Arkansas School for Mathematics and Sciences at the
 34 end of a fiscal year shall be transferred by the Chief Fiscal Officer of the
 35 State to the General Improvement Fund or its successor fund or fund accounts,
 36 there to be used exclusively to provide additional funding for appropriations

1 for the Department of Education - Arkansas School for Mathematics and
2 Sciences which are made payable from the General Improvement Fund or its
3 successor fund or fund accounts.

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

6
7 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
9 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
10 Districts appropriation in Section 1 of this Act, "school district" means a
11 school district which contracts with a school district in an adjoining state
12 for the education of some of the pupils within the Arkansas school district
13 because the portion of the school district wherein such pupils live is
14 completely separated from the remainder of the school district by a reservoir
15 covering at least 12,000 acres at normal water level, and where to attend
16 school in their own district, the pupils of said portion would be required to
17 travel or to be transported a distance (measured by the nearest highway or
18 road route) of more than 35 miles round trip and pass through another school
19 district or districts. The Department of Education shall distribute the
20 monies appropriated for Grants to School Districts in Section 1 of this Act
21 to such school districts as reimbursement for expenses incurred in educating
22 the pupils residing in the separated portion of the school district. Such
23 school districts shall file a request for reimbursement with the Department
24 of Education and provide the Department of Education with such documentation
25 as is deemed necessary.

26 The provisions of this section shall be in effect only from ~~July 1, 2001~~
27 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

28
29 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
31 EDUCATION SERVICES. The funds appropriated in the line item "Special
32 Education Services" in Section 1 of this Act shall be used to provide
33 extended year summer programs for handicapped students in need of such
34 services, to provide special education services to foster children who are
35 wards of the State, and to provide funds for the payment of salaries of
36 special education supervisors. The Department of Education shall distribute

1 such funds in the manner necessary to carry out the intent of this Section.

2 The provisions of this section shall be in effect only from ~~July 1, 2001~~
3 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

4
5 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

7 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
8 Districts shall pay the teacher retirement employer contribution rate for any
9 eligible employee in accordance with rules and regulations established by the
10 Teacher Retirement Board of Directors. The appropriation contained herein for
11 Teacher Retirement Matching each fiscal year shall be used to provide the
12 employer matching for employees of the Cooperative Education Services Areas,
13 Vocational Centers, ~~Model Vocational—Technical Education Resource Center,~~
14 Arkansas Easter Seals and the school operated by the Department of
15 Correction.

16 The provisions of this section shall be in effect only from ~~July 1, 2001~~
17 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

18
19 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH

21 INSURANCE. Beginning with the 1996-97 school year, Local School Districts
22 shall pay no less than the health insurance contribution rate established by
23 ~~the State Board of Education~~ Arkansas Code 6-17-1117 for each eligible
24 employee electing to participate in the Public School Employee Health
25 Insurance Program. The appropriation contained herein for Public School
26 Employee Insurance each fiscal year shall be used to provide the state
27 contribution for insurance premiums for employees of the Cooperative
28 Education Services Areas, Vocational Centers, ~~Model Vocational—Technical~~
29 ~~Education Resource Center~~ and the school operated by the Department of
30 Correction who participate in the Arkansas Public School Life and Health
31 Insurance Program.

32 The provisions of this section shall be in effect only from ~~July 1, 2001~~
33 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

34
35 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI

1 COUNTY DESEGREGATION. (A) For the fiscal year ending ~~June 30, 2002~~ June 30,
2 2004, the Department of Education shall from time to time as needed, certify
3 to the State Treasurer and the Chief Fiscal Officer of the State, the amount
4 of funds disbursed for desegregation expenses under the "Pulaski County
5 School Desegregation Settlement Agreement." Upon the receipt of such
6 certification, the State Treasurer, after making those deductions as set out
7 in Arkansas Code 19-5-202(b)(2)(B), shall also deduct up to, but not to
8 exceed in total for fiscal year ~~2001-2002~~ 2003-04 the sum of \$32,800,000 from
9 the net general revenues and transfer this amount to the Department of
10 Education Public School Fund Account.

11 (B) For the fiscal year ending ~~June 30, 2003~~ June 30, 2005, the Department of
12 Education shall from time to time as needed, certify to the State Treasurer
13 and the Chief Fiscal Officer of the State, the amount of funds disbursed for
14 desegregation expenses under the "Pulaski County School Desegregation
15 Settlement Agreement." Upon the receipt of such certification, the State
16 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
17 202(b)(2)(B), shall also deduct up to, but not to exceed in total for fiscal
18 year ~~2002-2003~~ 2004-05 the sum of \$32,800,000 from the net general revenues
19 and transfer this amount to the Department of Education Public School Fund
20 Account.

21 The provisions of this section shall be in effect only from ~~July 1, 2001~~
22 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

23
24 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

26 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
27 Incentive shall be allocated in accordance with rules and regulations
28 established by the State Board of Education.

29 The provisions of this section shall be in effect only from ~~July 1, 2001~~
30 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

31
32 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

34 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
35 Residential Centers/Juvenile Detention shall be allocated in accordance with
36 rules and regulations established by the State Board of Education.

1 The provisions of this section shall be in effect only from ~~July 1, 2001~~
2 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

3
4 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
6 AUTHORITY. The Director of the Department of Education, with the approval of
7 the Chief Fiscal Officer and after approval by the Arkansas Legislative
8 Council or Joint Budget Committee, is hereby authorized to request necessary
9 appropriation transfers and any other budget related adjustments necessary.
10 Determining the maximum number of employees and the maximum amount of
11 appropriation and general revenue funding for a state agency each fiscal year
12 is the prerogative of the General Assembly. This is usually accomplished by
13 delineating such maximums in the appropriation act(s) for a state agency and
14 the general revenue allocations authorized for each fund and fund account by
15 amendment to the Revenue Stabilization law. Further, the General Assembly
16 has determined that the Department of Education may operate more efficiently
17 if some flexibility is provided to the Director of the Department of
18 Education authorizing broad powers under the Transfer Authority provision
19 herein. Therefore, it is both necessary and appropriate that the General
20 Assembly maintain oversight by requiring prior approval of the Legislative
21 Council or Joint Budget Committee as provided by this section. The
22 requirement of approval by the Legislative Council or Joint Budget Committee
23 is not a severable part of this section. If the requirement of approval by
24 the Legislative Council or Joint Budget Committee is ruled unconstitutional
25 by a court jurisdiction, this entire section is void.

26 The provisions of this section shall be in effect only from ~~July 1, 2001~~
27 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

28
29 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORKERS'
31 COMPENSATION PURCHASE. The appropriation and funds authorized herein for
32 Purchase of Workers' Compensation Coverage by School Districts and Education
33 Service Cooperatives shall be distributed proportionally by the Department of
34 Education to each of the various school districts based on each school
35 district's average daily membership (ADM) the previous year and to each of
36 the state's education service cooperatives in an amount equal to 50% of the

1 amount each cooperative expended for that purpose the previous year.

2 The provisions of this section shall be in effect only from ~~July 1, 2001~~
3 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

4
5 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

7 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
8 shall transfer on his books and those of the State Treasurer the sum of
9 \$200,000 during each fiscal year, of the biennium from the Department of
10 Education Public School Fund Account to the University of Arkansas at Little
11 Rock Fund, specifically to provide funding for the Arkansas/STRIVE Program.
12 The total amount of funds transferred each fiscal year pursuant to this
13 section shall not be subject to any indirect costs by the University of
14 Arkansas at Little Rock.

15 The provisions of this section shall be in effect only from ~~July 1, 2001~~
16 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

17
18 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AMENDMENT
20 74 RULES AND REGULATIONS. Due to pending public school finance litigation,
21 before any rules and regulations pursuant to the implementation of Amendment
22 74 to the Arkansas Constitution are reviewed by the Administrative Rules and
23 Regulations Committee of the Arkansas Legislative Council and adopted by the
24 Department of Education, such proposed rules and regulations shall be
25 reviewed by the Litigation Reports Oversight Committee of the Arkansas
26 Legislative Council.

27 The provisions of this section shall be in effect only from ~~July 1, 2001~~
28 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

29
30 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

32 ASSESSMENT/END OF LEVEL TESTING. Of the total amount appropriated for
33 Assessment/End-of-Level Testing for each fiscal year of the ~~2001-2003~~ 2003-
34 2005 biennium, up to \$500,000 may be authorized by the Director of the
35 Department of Education to be used to provide staff development training for
36 educational cooperatives, school districts, and for Department of Education

1 staff on such content areas as test interpretation, goal setting, educational
2 plan development, curriculum development, instructional strategies, classroom
3 management and for evaluation procedures.

4 The provisions of this section shall be in effect only from ~~July 1, 2001~~
5 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

6
7 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN
9 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
10 authorized herein to the Department of Education - for the Quiz Bowl each
11 fiscal year, an amount not to exceed 40% each fiscal year may be made
12 available to the Department of Education - Educational Television Division
13 for its documented costs associated with the Quiz Bowl.

14 The provisions of this section shall be in effect only from ~~July 1, 2001~~
15 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

16
17 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OPEN
19 ENROLLMENT CHARTER SCHOOL EVALUATION. The Department of Education is hereby
20 authorized to utilize a portion of the appropriation and funds authorized
21 herein for Open Enrollment Charter Schools for costs associated with the
22 evaluation of Open Enrollment Charter Schools.

23 The provisions of this section shall be in effect only from ~~July 1, 2001~~
24 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

25
26 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
28 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
29 shall make available from the Intervention Block Grants appropriation
30 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
31 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
32 dollars (\$13,500) each fiscal year for Odyssey of the Mind for grants up to
33 \$1,000 each for students and chaperones, thirteen thousand five hundred
34 dollars (\$13,500) each fiscal year for Destination Imagination, and five
35 thousand dollars (\$5,000) each fiscal year for the State History Day
36 Competition. The Department of Education shall allocate General Revenue

1 funding totaling no less than one hundred thirty two thousand dollars
2 (\$132,000) each fiscal year from the Department of Education Public School
3 Fund Account to support the annual expenses of the Quiz Bowl, the Odyssey of
4 the Mind for grants up to \$1,000 each for students and chaperones,
5 Destination Imagination, and the State History Day Competition. The
6 Department shall either expend or have committed for expenditure the monies
7 allocated for the Quiz Bowl, Odyssey of the Mind, Destination Imagination,
8 and the State History Day Competition as authorized herein in order to
9 fulfill the provisions of this section.

10
11 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
13 FUNDING PROVISION. Of the total amount appropriated for Technology Grants
14 each fiscal year, an amount of not less than one million dollars (\$1,000,000)
15 or eighteen percent (18%), whichever is greater each fiscal year, shall be
16 awarded through a grant or professional services contract for EAST
17 infrastructure personal services and operating expenses. The EAST
18 infrastructure grant or contract for personal services and operating expenses
19 shall be awarded to an entity that has personnel or experience, or both, in
20 implementing the EAST Initiative.

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

23
24 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
26 PRIORITIZATION OF FUNDING. The State Board of Education shall give first
27 priority to allocating funding for those line-items contained in Section 1 of
28 this Act that further the State's goal of maintaining equitable funding of
29 students in the public schools of this State. Those line-items that further
30 this goal shall be those line-items that contribute to the State meeting the
31 Federal Range Ratio as it is described in 34 C.F.R. §§ 222.61, et seq.
32 (1994).

33
34 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXPLOR-
36 NET FUNDING PROVISION. Of the total appropriation authorized by this Act for

1 Technology Grants the Department of Education shall make available one
 2 hundred eighty seven thousand five hundred seventy five dollars (\$187,575)
 3 each fiscal year for Explor-Net Program initiatives to teach students
 4 computer repair in a hands-on environment. The Department of Education shall
 5 allocate General Revenue funding totaling no less than one hundred eighty
 6 seven thousand five hundred seventy five dollars (\$187,575) each fiscal year
 7 from the Department of Education Public School Fund Account to support the
 8 Explor-Net Program. The Department shall either expend or have committed for
 9 expenditure the monies allocated for the Explor-Net Program in order to
 10 fulfill the provisions of this section.

11
 12 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 14 LEADERSHIP ACADEMY - REDUCTION OF FUNDS RESTRICTION. Upon determination by
 15 the Department of Education that a reduction in the amount of available
 16 appropriation within the Department of Education Fund Account is required
 17 from the amount appropriated, the reduction in the available appropriation
 18 from the full amount appropriated for the Arkansas Leadership Academy shall
 19 be limited to the average percentage reduction in the other appropriations to
 20 the Department of Education from the Department of Education Fund Account.

21
 22 SECTION 24. Subsection (c) of Section 3 of uncodified Act 1288 of 1993,
 23 as amended, concerning the Pygmalion Commission is repealed:

24
 25 ~~(c) The commission shall expire on June 30, 2003, unless the commission~~
 26 ~~is continued by further act of the Arkansas General Assembly.~~

27
 28 SECTION 25. Arkansas Code Annotated 6-17-2104(j) of The Educator
 29 Compensation Act of 2001 is amended to read as follows:

30
 31 (j) The required salary increase for targeted educators ~~who are~~
 32 ~~prekindergarten teachers~~ shall only be required to be implemented if the
 33 local school district has received sufficient state funds as determined by
 34 the Department of Education ~~available to completely~~ implement the required
 35 salary increase or proportion thereof for the given fiscal year.

36

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

10
11 SECTION 27. LEGISLATIVE INTENT. It is the intent of the General Assembly
12 that any funds disbursed under the authority of the appropriations contained
13 in this act shall be in compliance with the stated reasons for which this act
14 was adopted, as evidenced by the Agency Requests, Executive Recommendations
15 and Legislative Recommendations contained in the budget manuals prepared by
16 the Department of Finance and Administration, letters, or summarized oral
17 testimony in the official minutes of the Arkansas Legislative Council or
18 Joint Budget Committee which relate to its passage and adoption.

19
20 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the General
21 Assembly, that the Constitution of the State of Arkansas prohibits the
22 appropriation of funds for more than a two (2) year period; that the
23 effectiveness of this Act on July 1, 2003 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that
25 the General Assembly recognizes the important contribution to education made
26 by the Pygmalion Commission on Nontraditional Education, and that recognizing
27 and identifying how the educational system is failing a child early enough to
28 provide meaningful intervention is necessary to improve the educational
29 outcomes for at-risk students, and the Pygmalion Commission shall expire on
30 June 30, 2003 unless the General Assembly continues the Commission by further
31 act, and that Section 24 of this Act shall become effective immediately upon
32 its passage and approval, and that the General Assembly further recognizes
33 the financial hardships placed on school district resources if the required
34 salary increase authorized by The Educator Compensation Act of 2001 is to
35 continue, and that Section 25 of this Act shall become effective immediately
36 upon its passage and approval due to the economic downturn of state revenues

1 and insufficient resources to provide school districts with sufficient funds
2 to implement the required salary increase, and that in the event of an
3 extension of the Regular Session, the delay in the effective date of the
4 remaining sections of this Act beyond July 1, 2003, could work irreparable
5 harm upon the proper administration and provision of essential governmental
6 programs. Therefore, an emergency is declared to exist and this act being
7 immediately necessary for the preservation of the public peace, health, and
8 safety:

9 (1) Section 24 and Section 25 of this act shall become effective on:

10 (A) The date of its approval by the Governor;

11 (B) If the bill is neither approved nor vetoed by the Governor, the
12 expiration of the period of time during which the Governor may veto the bill;
13 or

14 (C) If the bill is vetoed by the Governor and the veto is
15 overridden, the date the last house overrides the veto; and

16 (2) All other sections of this act shall become effective on July 1,
17 2003.

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19 */s/ Joint Budget Committee*

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22 *APPROVED: 5/9/2003*
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