

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Clarence Bell**

S.J.R.

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7 **SENATE JOINT RESOLUTION**

8 FOR A PROPOSED CONSTITUTIONAL AMENDMENT TO PROVIDE THAT IT
9 IS THE RESPONSIBILITY OF THE STATE TO FUND THE TOTAL
10 OPERATING COSTS OF THE PUBLIC SCHOOLS; TO PROVIDE THAT
11 LOCAL SCHOOL DISTRICTS SHALL HAVE THE RESPONSIBILITY TO
12 LEVY AD VALOREM TAXES ONLY FOR CONSTRUCTING, EQUIPPING AND
13 MAINTAINING PUBLIC SCHOOL BUILDINGS AND FACILITIES.

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15 BE IT RESOLVED BY THE SENATE OF THE SEVENTY-EIGHTH GENERAL ASSEMBLY OF THE
16 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
17 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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19 That the following is hereby proposed as an amendment to the
20 Constitution of the state of Arkansas, and upon being submitted to the
21 electors of the state for approval or rejection at the next general election
22 for Senators and Representatives, if a majority of the electors voting thereon
23 at such election, adopt such amendment, the same shall become a part of the
24 Constitution of the state of Arkansas, to wit:

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26 SECTION 1. The General Assembly shall provide funds for the operating
27 costs of public schools in the State. All such operating funds shall be
28 equitably apportioned to the various public schools in such manner as to
29 assure substantially equal educational opportunities for all persons in the
30 State from kindergarten to grade twelve, inclusive.

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32 SECTION 2. Each public school district in the State shall only be
33 required to provide from local sources those funds necessary for constructing,
34 equipping and maintaining public school buildings and facilities. In order to
35 provide such funds, the Board of Directors of each school district shall

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1 prepare, approve and make public not less than sixty (60) days in advance of
2 the annual school election a proposed budget of expenditures necessary to
3 provide for constructing, equipping and maintaining adequate buildings and
4 facilities for all schools in the district, for the following school year,
5 together with a rate of tax sufficient to provide funds therefor, including
6 the rate of tax under any continuing levy for retirement of indebtedness of
7 the district, and shall submit the total tax rate so determined to the
8 qualified electors of the district for approval at the next annual school
9 election. If a majority of the qualified electors in the district voting on
10 the tax levy shall approve the rate of tax so proposed, the tax at the rate so
11 approved shall be collected as provided by law. If a majority of the
12 qualified electors of the district voting on the levy of the proposed tax vote
13 against the levy of the proposed rate of tax, then the tax shall be levied and
14 collected at the rate last approved by the electors of the district.

15 Excess funds derived from taxes levied for construction, maintenance and
16 equipping school buildings and facilities or for retiring bonded indebtedness
17 may be used for operating purposes.

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19 SECTION 3. The General Assembly shall enact such laws not inconsistent
20 herewith as it deems necessary or desirable to implement and carry out the
21 intent and purposes of this amendment.

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23 SECTION 4. The provisions of this amendment relating to the financing
24 of public schools shall be applicable to the 1993-94 school year and
25 thereafter, and the provisions hereof relating to the levy of taxes for
26 general county and municipal purposes shall be applicable with respect to
27 taxes levied at the 1994 biennial general election and thereafter.

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29 SECTION 5. Amendment No. 40 to the Arkansas Constitution of 1874 is
30 hereby repealed, and all constitutional provisions and laws in conflict with
31 this amendment are hereby repealed.

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