

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

*As Engrossed: H1/16/04 H1/23/04*

Call Item 3

# A Bill

HOUSE BILL 1116

5 By: Representative Mahony  
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## 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 FOR THE DEPARTMENT OF EDUCATION FOR THE  
12 BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION  
16 - GRANTS AND AIDS TO LOCAL SCHOOL  
17 DISTRICTS AND SPECIAL PROGRAMS  
18 APPROPRIATION FOR THE 2003-2005  
19 BIENNIUM.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department  
27 of Education, to be payable from the Department of Education Public School  
28 Fund Account, for grants and aids to local school districts and special  
29 programs of the Department of Education for the biennial period ending June  
30 30, 2005, the following:  
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ITEM	FISCAL YEARS	
	2003-2004	2004-2005
(01) STATE FOUNDATION FUNDING AID	\$ 0	\$1,559,817,893
(02) STRUGGLING STUDENTS TEACHER FUNDING	0	104,418,625
(03) ALTERNATIVE LEARNING ENVIRONMENT		



1	TEACHER FUNDING	0	9,495,125
2	(04) ENGLISH LANGUAGE LEARNER TEACHER		
3	FUNDING	0	2,765,750
4	(05) PROFESSIONAL DEVELOPMENT FUNDING	0	22,251,810
5	(06) PUPIL SUPPORT STAFF FOR STRUGGLING STUDENTS	0	104,418,625
6	(07) DEBT SERVICE FUNDING SUPPLEMENT	0	28,000,000
7	(08) STUDENT GROWTH FUNDING	0	41,291,748
8	(09) ISOLATED FUNDING	0	9,076,387
9	(10) PRE-KINDERGARTEN PROGRAM	0	20,000,000
10	(11) SPECIAL EDUCATION CATASTROPHIC OCCURENCES	0	8,000,000
11	(12) TEACHER ASSESSMENT	0	1,500,000
12	(13) SCHOOL-BASED PERFORMANCE AWARDS	<u>0</u>	<u>30,000,000</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 0</u>	<u>\$1,914,035,963</u>

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 15 SECTION 2. APPROPRIATION - TEACHERS IN SPECIAL SETTINGS. There is hereby  
 16 appropriated, to the Department of Education, to be payable from the  
 17 Department of Education Public School Fund Account, for providing a *one-time*  
 18 \$2,500 bonus to teachers in special settings that may not otherwise be  
 19 eligible to receive the salary increase authorized for other teachers for the  
 20 biennial period ending June 30, 2005, the following:

22	ITEM	FISCAL YEARS	
23	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
24	(01) EDUCATION SERVICE COOPERATIVE TEACHERS -		
25	PRE-SCHOOL TEACHERS, LITERACY SPECIALISTS,		
26	MATH SPECIALISTS, TECHNOLOGY SPECIALISTS,		
27	TEACHER CENTER COORDINATORS, WORKFORCE		
28	COORDINATORS	\$ 0	\$ 755,000
29			
30	(02) HUMAN DEVELOPMENT CENTERS	\$ 0	25,000
31			
32	(03) SCHOOL FOR MATHEMATICS, SCIENCES		
33	& THE ARTS	\$ 0	102,500
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35	(04) INTERMEDIATE CARE FACILITIES FOR		
36	THE MENTALLY RETARDED FOR CHILDREN	\$ 0	37,500

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(05) DHS - DIVISION OF YOUTH SERVICES - RESIDENTIAL	\$ 0	225,500
(06) ARKANSAS NATIONAL GUARD - YOUTH CHALLENGE PROGRAM/CIVILIAN STUDENT TRAINING PROGRAM	\$ 0	25,000
(07) WORKFORCE ADULT EDUCATION	<u>\$ 0</u>	<u>257,500</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$ 0</u></u>	<u><u>\$ 1,428,000</u></u>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL SETTING TEACHER SALARY INCREASE FUNDING PROVISION. The appropriations in Section 2 of this Act are authorized to provide average annual salary increases to Teachers in Special Settings that are equivalent to the average annual salary provided to teachers in the public schools by the 84th General Assembly meeting in Second Extraordinary Session. Further, the appropriations authorized in Section 2 of this act shall only be funded in the event additional moneys are authorized by the General Assembly.

The provisions of this section shall be in effect only during the biennial period ending June 30, 2005.

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXPENDITURE APPROVAL. The funds and appropriation authorized in Section 2 of this Act for Teachers in Special Settings shall not be spent until the Department of Education, working in conjunction with the agencies listed in Section 2 of this Act, has submitted a list of proposed payments to the Chief Fiscal Officer of the State for approval. Such information shall be submitted in such form and content as may be required by the Chief Fiscal Officer of the State.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CERTIFIED  
2 TEACHERS IN SPECIAL SETTINGS BONUS FUNDING PROVISION. During the 2004-05  
3 fiscal year each school district that contracts with or otherwise receives  
4 teaching services for its students shall pay to the applicable provider of  
5 service a one-time bonus in an amount equal to \$2,500 for each full time  
6 equivalent certified teacher employed by the provider that is providing the  
7 services to school district students. Immediately upon receiving the monies  
8 from the school district the provider of service shall make available the  
9 \$2,500 one-time bonus to each of its full time equivalent certified teachers  
10 that are providing the services to school district students. Further, the  
11 school district shall provide the one-time bonus in an amount equal to \$2,500  
12 per full time equivalent certified teacher to those teachers providing Adult  
13 Education services to students of the school district.  
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15 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
16 by this act shall be limited to the appropriation for such agency and funds  
17 made available by law for the support of such appropriations; and the  
18 restrictions of the State Purchasing Law, the General Accounting and  
19 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
20 Procedures and Restrictions Act, or their successors, and other fiscal  
21 control laws of this State, where applicable, and regulations promulgated by  
22 the Department of Finance and Administration, as authorized by law, shall be  
23 strictly complied with in disbursement of said funds.  
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25 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
26 that any funds disbursed under the authority of the appropriations contained  
27 in this act shall be in compliance with the stated reasons for which this act  
28 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
29 and Legislative Recommendations contained in the budget manuals prepared by  
30 the Department of Finance and Administration, letters, or summarized oral  
31 testimony in the official minutes of the Arkansas Legislative Council or  
32 Joint Budget Committee which relate to its passage and adoption.  
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34 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
35 Assembly, that the Constitution of the State of Arkansas prohibits the  
36 appropriation of funds for more than a two (2) year period; that due to the

1 November 2002 Arkansas Supreme Court decision regarding the inadequacy of  
2 Arkansas public schools the effectiveness of this Act on the date of its  
3 passage and approval is essential to the operation of the agency for which  
4 the appropriations in this Act are provided, and that in the event of an  
5 extension of the Second Extraordinary Session, the delay in the effective  
6 date of this Act beyond the date of its passage and approval could work  
7 irreparable harm upon the proper administration and provision of essential  
8 governmental programs. Therefore, an emergency is hereby declared to exist  
9 and this Act being necessary for the immediate preservation of the public  
10 peace, health and safety shall be in full force and effect from and after the  
11 date of its passage and approval.

12 If the bill is neither approved nor vetoed by the Governor, it shall become  
13 effective on the expiration of the period of time during which the Governor  
14 may veto the bill. If the bill is vetoed by the Governor and the veto is  
15 overridden, it shall become effective on the date the last house overrides  
16 the veto.

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18 */s/ Mahony*  
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