

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

Call Item 3

A Bill

SENATE BILL 19

5 By: Senator Bisbee
6
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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 WHICH
12 SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE
13 FUNDS APPROPRIATED BY ACT 51 OF THE FIRST
14 EXTRAORDINARY SESSION OF 2003; AND FOR OTHER
15 PURPOSES.
16
17

Subtitle

18 AN ACT FOR THE DEPARTMENT OF EDUCATION
19 - GRANTS AND AIDS TO LOCAL SCHOOL
20 DISTRICTS SUPPLEMENTAL APPROPRIATION.
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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 which shall be supplemental and in
30 addition to those funds appropriated in Section 1 of Act 51 of the First
31 Extraordinary Session of 2003, the following:
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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2004-2005</u>
(01) EDUCATIONAL ADEQUACY	\$ 375,000,000
(02) PRE-SCHOOL PROGRAM	0



1	(03) ENGLISH LANGUAGE LEARNERS	0
2	(04) NATIONAL SCHOOL LUNCH ACT	0
3	(05) PROFESSIONAL DEVELOPMENT	0
4	(06) FOUNDATION FUNDING	0
5	(07) OPEN ENROLLMENT CHARTER SCHOOLS	0
6	(08) TEACHER PERFORMANCE ASSESSMENT	0
7	(09) TEACHER PERFORMANCE BONUS	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 375,000,000</u>

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10 SECTION 2. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 11 by this act shall be limited to the appropriation for such agency and funds
 12 made available by law for the support of such appropriations; and the
 13 restrictions of the State Purchasing Law, the General Accounting and
 14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 15 Procedures and Restrictions Act, or their successors, and other fiscal
 16 control laws of this State, where applicable, and regulations promulgated by
 17 the Department of Finance and Administration, as authorized by law, shall be
 18 strictly complied with in disbursement of said funds.

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20 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly
 21 that any funds disbursed under the authority of the appropriations contained
 22 in this act shall be in compliance with the stated reasons for which this act
 23 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 24 and Legislative Recommendations contained in the budget manuals prepared by
 25 the Department of Finance and Administration, letters, or summarized oral
 26 testimony in the official minutes of the Arkansas Legislative Council or
 27 Joint Budget Committee which relate to its passage and adoption.

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29 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the 84th
 30 General Assembly meeting in Second Extraordinary Session that the Arkansas
 31 Supreme Court in Lake View School District No. 25 v. Huckabee, 351 Ark. 31
 32 (2002) declared the now extant system of education to be unconstitutional
 33 because it is both inequitable and inadequate; and the Arkansas Supreme Court
 34 set forth the test for a constitutional system to be one in which the State
 35 has an "absolute duty" to provide an "equal opportunity to an adequate
 36 education"; and the Arkansas Supreme Court instructed the General Assembly to

1 define and provide what is necessary to provide an adequate and equitable
2 education for the children of Arkansas-forthwith; that a delay in the
3 effective date of this Act could work irreparable harm upon the proper
4 administration and provision of essential governmental programs. Therefore,
5 an emergency is declared to exist and this act being necessary for the
6 immediate preservation of the public peace, health and safety shall be in
7 full force and effect from and after July 1, 2004.

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