

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

Call Item 4

# A Bill

SENATE BILL 44

5 By: Senator Critcher  
6  
7

## For An Act To Be Entitled

9 AN ACT TO TRANSFER FUNDS TO FINANCE THE ARKANSAS  
10 TECHNICAL CAREERS STUDENT LOAN FORGIVENESS  
11 PROGRAM FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 2005; AND FOR OTHER PURPOSES.  
13

## Subtitle

15 AN ACT TO TRANSFER FUNDS FOR THE  
16 ARKANSAS TECHNICAL CAREERS STUDENT LOAN  
17 FORGIVENESS PROGRAM.  
18  
19

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

22 SECTION 1. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
24 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal  
25 Officer of the State shall transfer on his books and those of the State  
26 Treasurer and the Auditor of the State the sum of one million three hundred  
27 twenty thousand dollars (\$1,320,000), from funds received from the Jobs and  
28 Growth Tax Relief Reconciliation Act of 2003, Public Law 108-27, to the 84<sup>th</sup>  
29 Session Projects Fund Account of the General Improvement Fund to fund the  
30 appropriations authorized for the Arkansas Technical Careers Student Loan  
31 Forgiveness Program by Section 41 of Act 1309 of 2003, Regular Session.  
32

33 SECTION 2. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
34 authorized by this act shall be limited to the appropriation for such agency  
35 and funds made available by law for the support of such appropriations; and  
36 the restrictions of the State Purchasing Law, the General Accounting and



1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 2 Procedures and Restrictions Act, or their successors, and other fiscal  
 3 control laws of this State, where applicable, and regulations promulgated by  
 4 the Department of Finance and Administration, as authorized by law, shall be  
 5 strictly complied with in disbursement of said funds.

6  
 7 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General  
 8 Assembly that any funds disbursed under the authority of the appropriations  
 9 contained in this act shall be in compliance with the stated reasons for  
 10 which this act was adopted, as evidenced by the Agency Requests, Executive  
 11 Recommendations and Legislative Recommendations contained in the budget  
 12 manuals prepared by the Department of Finance and Administration, letters, or  
 13 summarized oral testimony in the official minutes of the Arkansas Legislative  
 14 Council or Joint Budget Committee which relate to its passage and adoption.

15  
 16 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
 17 Assembly, that the Constitution of the State of Arkansas prohibits the  
 18 appropriation of funds for more than a two (2) year period; that the  
 19 effectiveness of this Act on the date of its passage and approval is  
 20 essential due to the recent Arkansas Supreme Court ruling that the State has  
 21 not fulfilled its constitutional duty to provide the children of this State  
 22 with a general, suitable, and efficient school funding system; and the  
 23 Arkansas Supreme Court has ruled that the k-12 public school system in  
 24 Arkansas is neither equitable nor adequate; and in its decision the Arkansas  
 25 Supreme Court provided a stay to the issuance of its mandate only until  
 26 January 1, 2004 to give the state time to chart a new course for public  
 27 education in this state; and that in order to initiate substantial progress  
 28 towards implementing a constitutional public k-12 school system the  
 29 effectiveness of this Act on the date of its passage and approval is  
 30 essential, the delay in the effective date of this Act beyond the date of its  
 31 passage and approval could work irreparable harm upon the proper  
 32 administration and provision of essential governmental programs. Therefore,  
 33 an emergency is hereby declared to exist and this Act being necessary for the  
 34 immediate preservation of the public peace, health and safety shall be in  
 35 full force and effect from and after the date of its passage and approval.  
 36 If the bill is neither approved nor vetoed by the Governor, it shall become

1 effective on the expiration of the period of time during which the Governor  
2 may veto the bill. If the bill is vetoed by the Governor and the veto is  
3 overridden, it shall become effective on the date the last house overrides  
4 the veto.

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36