

Stricken language would be deleted from and underlined language would be added to present law.

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

*As Engrossed: S1/13/04*  
**A Bill**

Call Item 3

SENATE BILL 7

5 By: Senator Broadway  
6 By: Representative Elliott  
7  
8

**For An Act To Be Entitled**

10 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING  
11 EXPENSES AND OTHER EXPENSES FOR THE BUREAU OF  
12 LEGISLATIVE RESEARCH DISBURSING OFFICER - JOINT  
13 COMMITTEE ON EDUCATIONAL FACILITIES WHICH SHALL  
14 BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS  
15 APPROPRIATED BY ACT 1284 OF 2003; AND FOR OTHER  
16 PURPOSES.

**Subtitle**

19 AN ACT FOR THE BUREAU OF LEGISLATIVE  
20 RESEARCH DISBURSING OFFICER - JOINT  
21 COMMITTEE ON EDUCATIONAL FACILITIES  
22 SUPPLEMENTAL APPROPRIATION.  
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. APPROPRIATION - JOINT COMMITTEE ON EDUCATIONAL FACILITIES.

29 There is hereby appropriated, to the Bureau of Legislative Research  
30 Disbursing Officer, to be payable from the Department of Education Public  
31 School Fund Account, for operating expenses and other expenses of the Joint  
32 Committee on Educational Facilities which shall be supplemental and in  
33 addition to those funds appropriated in Section 1 of Act 1284 of 2003, the  
34 sum of .....\$ 10,000,000.  
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36 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE



1 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
2 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal  
3 Officer of the State shall transfer on his books and those of the State  
4 Treasurer and the Auditor of the State the sum of ten million dollars  
5 (\$10,000,000) from funds received from the Jobs and Growth Tax Relief  
6 Reconciliation Act of 2003, Public Law 108-27 to the Department of Education  
7 Public School Fund Account, of which the first three million eight hundred  
8 thousand dollars (\$3,800,000) may be expended for initial costs, any  
9 expenditures over three million eight hundred thousand dollars (\$3,800,000)  
10 must receive prior approval by the Legislative Council or the Joint Budget  
11 Committee.

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13 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
14 by this act shall be limited to the appropriation for such agency and funds  
15 made available by law for the support of such appropriations; and the  
16 restrictions of the State Purchasing Law, the General Accounting and  
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
18 Procedures and Restrictions Act, or their successors, and other fiscal  
19 control laws of this State, where applicable, and regulations promulgated by  
20 the Department of Finance and Administration, as authorized by law, shall be  
21 strictly complied with in disbursement of said funds.

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23 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly  
24 that any funds disbursed under the authority of the appropriations contained  
25 in this act shall be in compliance with the stated reasons for which this act  
26 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
27 and Legislative Recommendations contained in the budget manuals prepared by  
28 the Department of Finance and Administration, letters, or summarized oral  
29 testimony in the official minutes of the Arkansas Legislative Council or  
30 Joint Budget Committee which relate to its passage and adoption.

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32 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
33 Assembly, that the Constitution of the State of Arkansas prohibits the  
34 appropriation of funds for more than a two (2) year period; that the  
35 effectiveness of this Act on the date of its passage and approval is  
36 essential due to the recent Arkansas Supreme Court ruling that the State has

1 not fulfilled its constitutional duty to provide the children of this State  
2 with a general, suitable, and efficient school funding system; and the  
3 Arkansas Supreme Court has ruled that the k-12 public school system in  
4 Arkansas is neither equitable nor adequate; and in its decision the Arkansas  
5 Supreme Court provided a stay to the issuance of its mandate only until  
6 January 1, 2004 to give the state time to chart a new course for public  
7 education in this state; and that in order to initiate substantial progress  
8 towards implementing a constitutional public k-12 school system the  
9 effectiveness of this Act on the date of its passage and approval is  
10 essential, the delay in the effective date of this Act beyond the date of its  
11 passage and approval could work irreparable harm upon the proper  
12 administration and provision of essential governmental programs. Therefore,  
13 an emergency is hereby declared to exist and this Act being necessary for the  
14 immediate preservation of the public peace, health and safety shall be in  
15 full force and effect from and after the date of its passage and approval.  
16 If the bill is neither approved nor vetoed by the Governor, it shall become  
17 effective on the expiration of the period of time during which the Governor  
18 may veto the bill. If the bill is vetoed by the Governor and the veto is  
19 overridden, it shall become effective on the date the last house overrides  
20 the veto.

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22 /s/ Broadway  
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