

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 S1/15/04

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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SECTION 1. APPROPRIATION - JOINT COMMITTEE ON EDUCATIONAL FACILITIES.

28 There is hereby appropriated, to the Bureau of Legislative Research
29 Disbursing Officer, to be payable from the Department of Education Public
30 School Fund Account, for operating expenses and other expenses of the Joint
31 Committee on Educational Facilities which shall be supplemental and in
32 addition to those funds appropriated in Section 1 of Act 1284 of 2003, the
33 sum of\$ 10,000,000.
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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 set aside ten million dollars (\$10,000,000) of
4 those funds received from the Jobs and Growth Tax Relief Reconciliation Act
5 of 2003, Public Law 108-27 in order to provide funding for the appropriation
6 in this Act and shall then transfer on his books and those of the State
7 Treasurer and the Auditor of the State the sum of three million eight hundred
8 thousand dollars (\$3,800,000) from funds received from the Jobs and Growth
9 Tax Relief Reconciliation Act of 2003, Public Law 108-27 to the Department of
10 Education Public School Fund Account, which may be expended for initial
11 costs. Any expenditures over three million eight hundred thousand dollars
12 (\$3,800,000) must receive prior approval by the Legislative Council or the
13 Joint Budget Committee and after approval of such expenditures, the Chief
14 Fiscal Officer of the State shall transfer the corresponding amount of funds
15 on his books and those of the State Treasurer and Auditor of the State from
16 funds received from the Jobs and Growth Tax Relief Reconciliation Act of
17 2003, Public Law 108-27 to the Department of Education Public School Fund
18 Account.

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20 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONTRACT
22 REQUIREMENT. Any contract to be paid from funds appropriated in this Act
23 shall not be implemented until having received approval from the Office of
24 Attorney General.

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26 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
27 by this act shall be limited to the appropriation for such agency and funds
28 made available by law for the support of such appropriations; and the
29 restrictions of the State Purchasing Law, the General Accounting and
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
31 Procedures and Restrictions Act, or their successors, and other fiscal
32 control laws of this State, where applicable, and regulations promulgated by
33 the Department of Finance and Administration, as authorized by law, shall be
34 strictly complied with in disbursement of said funds.

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36 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly

1 that any funds disbursed under the authority of the appropriations contained
2 in this act shall be in compliance with the stated reasons for which this act
3 was adopted, as evidenced by the Agency Requests, Executive Recommendations
4 and Legislative Recommendations contained in the budget manuals prepared by
5 the Department of Finance and Administration, letters, or summarized oral
6 testimony in the official minutes of the Arkansas Legislative Council or
7 Joint Budget Committee which relate to its passage and adoption.

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9 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly, that the Constitution of the State of Arkansas prohibits the
11 appropriation of funds for more than a two (2) year period; that the
12 effectiveness of this Act on the date of its passage and approval is
13 essential due to the recent Arkansas Supreme Court ruling that the State has
14 not fulfilled its constitutional duty to provide the children of this State
15 with a general, suitable, and efficient school funding system; and the
16 Arkansas Supreme Court has ruled that the k-12 public school system in
17 Arkansas is neither equitable nor adequate; and in its decision the Arkansas
18 Supreme Court provided a stay to the issuance of its mandate only until
19 January 1, 2004 to give the state time to chart a new course for public
20 education in this state; and that in order to initiate substantial progress
21 towards implementing a constitutional public k-12 school system the
22 effectiveness of this Act on the date of its passage and approval is
23 essential, the delay in the effective date of this Act beyond the date of its
24 passage and approval could work irreparable harm upon the proper
25 administration and provision of essential governmental programs. Therefore,
26 an emergency is hereby declared to exist and this Act being necessary for the
27 immediate preservation of the public peace, health and safety shall be in
28 full force and effect from and after the date of its passage and approval.
29 If the bill is neither approved nor vetoed by the Governor, it shall become
30 effective on the expiration of the period of time during which the Governor
31 may veto the bill. If the bill is vetoed by the Governor and the veto is
32 overridden, it shall become effective on the date the last house overrides
33 the veto.

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35 /s/ Broadway
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