

1 **State of Arkansas**
2 **79th General Assembly**
3 **Second Extraordinary Session, 1994**
4 **By: Representative Mahony**

A Bill

Call Item 34
ACT 16 OF 1994
HOUSE BILL 1029

For An Act To Be Entitled

8 "AN ACT TO AUTHORIZE THE ARKANSAS DEPARTMENT OF EDUCATION
9 (ADE) TO EXPEND MINIMUM FOUNDATION PROGRAM AID FUNDS
10 APPROPRIATED TO THE DEPARTMENT TO ADDRESS DISPARITIES IN
11 ALLOCATIONS MADE TO ARKANSAS SCHOOL DISTRICTS CONTIGUOUS
12 TO ADJOINING STATES AND HISTORICALLY AND CONTINUOUSLY
13 SERVING STUDENTS IN THOSE STATES; AND TO DECLARE AN
14 EMERGENCY; AND FOR OTHER PURPOSES."

Subtitle

18 **"AUTHORIZING ADE TO EXPEND**
19 **ADDITIONAL MFPA FUNDS TO SCHOOL**
20 **DISTRICTS CONTIGUOUS TO ADJOINING**
21 **STATES."**

24 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:**

26 **SECTION I. Notwithstanding any other provisions of law, the Arkansas Department**
27 **of Education is hereby authorized to expend from Minimum Foundation Program Aid funds**
28 **appropriated to the department in Section 1 of Act 1312 of 1993 for the biennial period ending**
29 **June 30, 1995, for the purpose of providing educational services to Arkansas students in any**
30 **Arkansas school district contiguous to an adjoining state and historically and continuously**
31 **servicing students in that state. These additional amounts shall not exceed:**

32 **(I) For the fiscal year ending June 30, 1995, two hundred thousand dollars**
33 **(\$200,000) to be determined by the department using the following guidelines:**

34 **(A) Any grant shall be conditioned upon the passage of a millage increase that is**
35 **necessary for the long-term survival of a school district; and**

36 **(B) That such sums are necessary for a school district to meet the Standards**

1 for Accreditation Of Arkansas Public Schools adopted by the State Board of Education in
2 1984 and revised in 1993; and

3 (2) For the fiscal year ending June 30, 1995, one hundred and fifty thousand dollars
4 (\$150,000) to be determined by the department using the following guidelines:

5 (A) That the State of Louisiana, or a subdivision thereof, does not provide all
6 money previously agreed upon to reach two thousand two hundred and fifty-nine dollars
7 (\$2,259) per child attending the Junction City, Arkansas, School District and residing on
8 previously established bus routes; and

9 (B) The money is spent on the Arkansas personnel necessary to ensure the
10 continuation of and accredited school to include said out-of-state students.

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12 SECTION 2. All provisions of this act of a general and permanent nature are
13 amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision
14 Commission shall incorporate the same in the Code.

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16 SECTION 3. If any provision of this act or the application thereof to any person or
17 circumstance is held invalid, such invalidity shall not affect other provisions or applications of
18 the act which can be given effect without the invalid provision or application, and to this end
19 the provisions of this act are declared to be severable.

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21 SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

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23 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
24 Seventy-Ninth General Assembly, meeting in Second Extraordinary Session, that the
25 provisions of this Act are of critical importance in providing a "general, suitable and efficient
26 system of public schools" as provided for in the Arkansas Constitution to those Arkansas
27 students who are enrolled in school districts contiguous to adjoining states; and that failure to
28 provide these students the same educational opportunities as those afforded to students in
29 other Arkansas school districts could cause irreparable harm. Therefore, an emergency is
30 hereby declared to exist, and this Act being necessary for the immediate preservation of the
31 public peace, health, and safety shall be in full force and effect from and after its passage.

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33 APPROVED: 8-22-94

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