

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

ACT 1312 OF 1993
HOUSE BILL 1209

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AIDS TO
9 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS BY THE
10 DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD ENDING
11 JUNE 30, 1995; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION GRANTS AND AIDS
15 APPROPRIATION."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. APPROPRIATIONS - GENERAL EDUCATION DIVISION. There is hereby
20 appropriated, to the Department of Education, to be payable from the Public
21 School Fund, for grants and aids to local school districts and special
22 programs by the Department of Education - General Education Division for the
23 biennial period ending June 30, 1995, the following:

24 ITEMS (02) AND (05) BELOW WERE DISAPPROVED BY THE GOVERNOR

25 ITEM	26 FISCAL YEARS	
	1993-94	1994-95
27 (01) TEACHER RETIREMENT MATCHING	\$ 126,000,000	\$133,000,000
28 (02) COUNTY GENERAL AID	1,525,500	1,525,500
29 (03) TRANSPORTATION AID	50,000,000	50,000,000
30 (04) MINIMUM FOUNDATION AID	991,047,124	994,047,124
31 (05) STATE APPORTIONMENT AID	1,296,000	1,296,000
32 (06) ORPHAN'S AID	91,590	91,590
33 (07) CRIPPLED CHILDREN	143,113	143,113
34 (08) PUBLIC SCHOOL EMPLOYEES INSURANCE	42,815,000	47,815,000
35 (09) SCHOOL FOOD SERVICE	1,750,000	1,750,000
36 (10) SCHOOL FOOD - LEGIS. AUDIT COSTS	100,000	100,000

1	(11)	ECONOMIC EDUCATION	100,000	100,000
2	(12)	SURPLUS COMMODITIES	175,000	175,000
3	(13)	GRANTS TO SCHOOL DISTRICTS	27,000	27,000
4	(14)	WORKER'S COMPENSATION	5,000,000	5,500,000
5	(15)	GIFTED AND TALENTED	1,942,896	1,942,896
6	(16)	LIABILITY INSURANCE PREMIUMS	275,000	275,000
7	(17)	ALTERNATIVE SCHOOLS GRANTS	1,200,000	1,200,000
8	(18)	AID TO ISOLATED DISTRICTS	175,000	175,000
9	(19)	RECOGNITION PROGRAM	75,000	75,000
10	(20)	READING PROGRAM	794,839	794,839
11	(21)	CLASSROOM MANAGEMENT TRAINING	155,000	155,000
12	(22)	SPECIAL EDUCATION SERVICES	3,000,000	3,000,000
13	(23)	HUMAN DEVELOPMENT CENTERS EDUCATION AID	663,000	663,000
14	(24)	COOPERATIVE EDUCATION SERVICES AREAS	3,620,521	3,620,521
15	(25)	COMPUTER-BASED EDUCATION GRANTS	2,200,000	2,200,000
16	(26)	EARLY CHILDHOOD SPECIAL EDUCATION	3,188,125	3,694,064
17				
18	(27)	RESTRUCTURING SCHOOLS GRANTS	250,000	250,000
19	(28)	REMEDIATION PROGRAM	16,991,272	19,991,272
20	(29)	BETTER CHANCE PROGRAM	10,000,000	10,000,000
21	(30)	DELTA MAGNET SCHOOL		500,000
22		500,000		
23	(31)	COMPUTER-BASED EDU-OPERATIONS	500,000	500,000
24	(32)	COURSE CONTENT GRANTS	225,000	150,000
25	(33)	WRITING ASSESSMENT GRANTS	50,000	50,000
26	(34)	AR. HIGH TECH TRAINING CTR-START UP	850,000	0
27	(35)	AR. HIGH TECH TRAINING CTR-OPERATIONS	<u>350,000</u>	<u>350,000</u>
28		TOTAL AMOUNT APPROPRIATED	<u>\$1,267,075,980</u>	<u>\$1,285,156,919</u>

29

30 SECTION 2. APPROPRIATIONS - VOCATIONAL AND TECHNICAL EDUCATION

31 DIVISION. There is hereby appropriated, to the Department of Education,
32 to be payable from the Public School Fund, for grants and aids to local school
33 districts and special programs by the Department of Education - Vocational and
34 Technical Education Division for the biennial period ending June 30, 1995, the
35 following:

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		FISCAL YEARS	
ITEM	NO.	1993-94	1994-95
(01)	ADULT BASIC & GENERAL ADULT EDUCATION	\$20,323,388	\$20,322,247
(02)	VOCATIONAL CENTER AID	3,718,869	3,983,777
(03)	CAPITAL EQUIP GRANT	1,282,630	1,282,630
(04)	COORDINATED CAREER EDUCATION SERVICES/ SPECIAL NEEDS STUDENTS	<u>998,873</u>	<u>998,873</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$26,323,760</u>	<u>\$26,587,527</u>

11 SECTION 3. REGULAR SALARIES - MATH AND SCIENCE SCHOOL. There is hereby
 12 established for the Department of Education - Math & Science School for the
 13 1993-95 biennium, the following maximum number of regular employees whose
 14 salaries shall be governed by the provisions of the Uniform Classification and
 15 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
 16 laws amendatory thereto. Provided, however, that any position to which a
 17 specific maximum annual salary is set out herein in dollars, shall be exempt
 18 from the provisions of said Uniform Classification and Compensation Act. All
 19 persons occupying positions authorized herein are hereby governed by the
 20 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 21 Code §21-5-101), or its successor.

				<u>Maximum Annual</u>		
				Maximum	Salary Rate	
				No. of	Fiscal Years	
Item	Class			Employees	1993-94	1994-95
No.	Code	Title				
(01)		DIRECTOR	1	\$ 62,730	\$ 64,925	
(02)		PRINCIPAL	1	55,000	56,925	
(03)		TEACHER	25	36,592	37,506	
(04)		COUNSELOR	2	36,592	37,506	
(05)		DORM SUPV	1	24,000	24,000	
(06)		CUSTODIAL/MAINT SUPV	1	22,000	22,000	
(07)		ADMIN ASST	1	18,723	18,723	
(08)		ACTIVITY COORD/VAN DRIVER	1	18,000	18,000	
(09)		FOOD SERVICE SUPV	1	17,500	17,500	
(10)		ASST DORM SUPV	4	15,000	15,000	

1	(11)	SECRETARY	2	15,000	15,000
2	(12)	TEACHERS AIDE	2	13,300	13,300
3	(13)	CUSTODIAL/MAINT WORKER	4	13,000	13,000
4	(14)	RECEPTIONIST	1	12,000	12,000
5	(15)	FOOD SERVICE WORKER	<u>3</u>	10,300	10,300
6		MAXIMUM NO. OF EMPLOYEES	50		

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9 SECTION 4. APPROPRIATIONS - MATH AND SCIENCE SCHOOL. There is hereby
10 appropriated, to the Department of Education - Math & Science School, to be
11 payable from the Public School Fund for personal services and operating
12 ~~expenses of the Department of Education - Math & Science School for the~~
13 biennial period ending June 30, 1995, the following:

15	ITEM	FISCAL YEARS	
16	NO.	1993-94	1994-95
17	(01) REGULAR SALARIES	\$1,124,701	\$1,446,235
18	(02) PERSONAL SERVICES MATCHING	314,757	404,781
19	(03) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSES	\$1,606,245	\$2,175,540
21	(B) CONF. & TRAVEL	0	0
22	(C) PROF. FEES	0	0
23	(D) CAPITAL OUTLAY	0	0
24	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
25	TOTAL MAINT. & GEN. OPER.	<u>1,606,245</u>	<u>2,175,540</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$3,045,703</u>	<u>\$4,026,556</u>

27
28 SECTION 5. For the purposes of this Act, "school district" means a
29 school district which contracts with a school district in an adjoining state
30 for the education of some of the pupils within the Arkansas school district
31 because the portion of the school district wherein such pupils live is
32 completely separated from the remainder of the school district by a reservoir
33 covering at least 12,000 acres at normal water level, and where to attend
34 school in their own district, the pupils of said portion would be required to
35 travel or to be transported a distance (measured by the nearest highway or

1 road route) of more than 35 miles round trip and pass through another school
2 district or districts. The Department of Education shall distribute the
3 monies appropriated by Item (13) of Section 1 of this Act to such school
4 district as reimbursement for expenses incurred in educating the pupils
5 residing in the separated portion of the school district. Such school
6 district shall file a request for reimbursement with the Department of
7 Education and provide the Department of Education with such documentation as
8 is deemed necessary.

9

10 SECTION 6. FUNDING. Of the first monies distributed to the Public
11 School Fund in each fiscal year of the 1993-95 biennium, an amount equal to
12 those amounts set forth in Item (13) of Section 1 of this Act shall be set
13 aside each fiscal year in order to provide funding for the appropriation in
14 Item (13) of Section 1 of this Act.

15

16 SECTION 7. FUNDING PROVISION AND ADMINISTRATION. The appropriation
17 provided by the General Assembly for "Public School Employees Insurance",
18 which is made payable from the Public School Fund, shall be administered by
19 the School Insurance Section of the Department of Education - General
20 Education Division, in accordance with the provisions of Arkansas Code §
21 6-17-1101--6-17-1112, 6-17-1114, and Arkansas Code § 23-86-101--23-86-109,
22 23-86-112. In the event that there are insufficient funds or appropriation
23 available to disburse the maximum contribution for insurance premiums provided
24 for each eligible public school employee as may be set out by law, or if the
25 General Assembly fails to set a contribution level, the State Board of
26 Education may establish a State contribution level for public school employee
27 insurance premiums within the amount of appropriation and funds available.
28 Provided, however, for the fiscal year 1987-88 and thereafter, monthly
29 contributions per employee of the Public School Employees Insurance Section
30 shall not exceed that amount authorized and expended in behalf of members of
31 the State Employees Insurance Section. In addition to those purposes, as set
32 out in said Arkansas Code provisions enumerated in this Section, the
33 appropriation for the "Public School Employees Insurance" shall be utilized
34 for the personal services and operating expenses as required by the Department
35 of Education to administer the Public School Employees Insurance Program. The

1 Chief Fiscal Officer of the State is hereby authorized to establish the
2 necessary amounts of appropriation for regular salaries, operating expenses,
3 and any other necessary items, by transferring such required amounts from the
4 appropriation made for "Public School Employees Insurance".

5

6 SECTION 8. ELEMENTARY AND HIGH SCHOOL TEXTBOOKS. Local school districts
7 are hereby authorized to transfer up to thirty percent (30%) of their
8 allotments for high school and elementary textbooks, as determined by the
9 State Board of Education, from those funds appropriated for textbook
10 allotments by Item (04) of Section 1 of this Act. This amount may be
11 transferred from the portion of textbook allotment designated for high school
12 textbooks to the portion of textbook allotment designated for elementary
13 textbooks, or vice versa, after written notification to and confirmation from
14 the Free Textbooks Section of the Department of Education.

15

16 SECTION 9. The funds appropriated in the line item "Special Education
17 Services" in Section 1 of this Act shall be used to provide extended year
18 summer programs for handicapped students in need of such services, to provide
19 special education services to foster children who are wards of the State, and
20 to provide funds for the payment of salaries of special education supervisors.
21 The Department of Education shall distribute such funds in the manner
22 necessary to carry out the intent of this Section.

23

24 SECTION 10. The additional state financial aid for public elementary
25 and secondary education provided to the school districts of this State
26 pursuant to the provisions of this Act shall be expended to improve the
27 quality of education in the public school; therefore, no state financial aid
28 appropriated by this Act and distributed pursuant to the school aid formula
29 shall be expended for the support of extra-curricular activities or athletic
30 programs.

31

32 SECTION 11. The funds appropriated in Section 2 of this Act may also be
33 used to match any available federal funds from any agency in order to provide
34 the maximum amount of money possible for the purposes enumerated in such
35 section.

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2 SECTION 12. RESTRICTIONS. (A) The funds appropriated by Item (03) of
3 Section 2 herein, shall be administered by the Department of Education -
4 Vocational and Technical Education Division and shall be used to provide
5 additional assistance to local school districts to enhance and/or upgrade
6 equipment in existing job-specific programs. Pursuant to policies and
7 regulations which include applications, disbursement procedures, and matching
8 requirements of the Vocational and Technical Division, these funds can be used
9 to purchase capital equipment to enhance or technically upgrade existing
10 job-specific vocational programs. Such funds shall be distributed to local
11 school districts in such amounts, as determined by the Department of Education
12 - Vocational and Technical Education Division.

13

14 SECTION 13. Of the funds appropriated and made available for Computer-
15 Based Education Grants in Section 1 of this Act, an amount up to \$100,000 per
16 year may be used to contract with private providers for continuing an adult
17 literacy project.

18

19 SECTION 14. Of the monies appropriated herein, the Department of
20 Education is hereby authorized to expend up to \$50,000 during the 1993-95
21 biennium for the purpose of revising and publishing the School Laws of
22 Arkansas.

23

24 SECTION 15. The funds appropriated in Item (02) of Section 1 of this
25 Act for County General Aid shall, except in those instances where a majority
26 of the school boards in the county have voted not to retain the offices and
27 functions of the county supervisor or clerk, be disbursed to the several
28 counties as now provided by law and shall remain in the respective counties
29 and be apportioned on a pro rata basis to the schools or school districts
30 within the county.

31

32 SECTION 16. SET ASIDE FUNDING. An amount of \$2,000,000 of the Public
33 School Fund shall be set aside and used exclusively to comply with Arkansas
34 Code 6-17-1113 and 6-20-313 to provide liability protection for school board
35 members, school nurses, substitute teachers, authorized volunteers, student

1 teachers, teacher aides, and each person required to be certified by the
2 Arkansas Department of Education employed by a public school district, School
3 for the Blind, School for the Deaf, Education Cooperative and County Board of
4 Education.

5

6 SECTION 17. The funds appropriated in this Act for Restructuring
7 Schools Grants shall be allocated in accordance with regulations and
8 procedures promulgated by the State Board of Education.

9

10 SECTION 18. The funds appropriated by Item (28) of Section 1 of this
11 Act for the Remediation Program shall be used for remedial/compensatory
12 programs for students who are eligible for such programs as determined by
13 regulations adopted by the State Board of Education.

14

15 SECTION 19. VOCATIONAL CENTER AID. The distribution of funds for
16 Vocational Center Aid shall be made directly to the various Vocational
17 Centers, with a notation to be included on the document which certifies state
18 aid for the Minimum Foundation Program sent to school districts that such
19 amounts have been transferred directly to the Vocational Centers. Such
20 amounts will be considered as current year expenses for school districts but
21 will not be a part of the net current revenue of the school districts.

22

23 SECTION 20. READING RECOVERY TEACHER LEADERS. Of the total amount
24 appropriated for the REMEDIATION PROGRAM each fiscal year of the 1993-95
25 biennium by this Act, *two hundred thousand dollars (\$200,000)* each fiscal year
26 of the 1993-95 biennium shall be used to provide training for four (4) Reading
27 Recovery Teacher Leaders. *During the 1993-94 fiscal year, one Reading*
28 *Recovery Teacher Leader shall be placed at each of the following Cooperative*
29 *Education Services Areas: Southwest Arkansas Cooperative, South Central*
30 *Arkansas Cooperative, Western Arkansas Cooperative and the Crowley's Ridge*
31 *Cooperative.*

32 *During the 1994-95 fiscal year, one (1) Reading Recovery Teacher Leader*
33 *shall be placed at each of the following Cooperative Education Services Areas:*
34 *Northcentral Arkansas Education Service Center, Northwest Arkansas Education*
35 *Service Cooperative, Ozarks Unlimited Resources Cooperative and the*

1 DeQueen/Mena Educational Cooperative.

2

3 SECTION 21. Of the funds and appropriation authorized by Item (01) in
4 Section 2 of this Act for Adult Basic and General Adult Education, a sum of
5 \$1,050,000 each fiscal year shall be made available to the secondary area
6 vocational centers managed by local education agencies, in order to expand the
7 vocational education and training opportunities available to area citizens in
8 need of adult educational training or retraining due to changing technology.

9 The secondary area vocational centers which elect to provide enhanced
10 education/training employment or retraining services appropriate to area
11 industry/business needs, may request from the State Board of Vocational
12 Education to be designated as a Community Based Education Center.

13

14 SECTION 22. For the fiscal year ending June 30, 1994, the Department of
15 Education shall from time to time as needed, certify to the State Treasurer
16 and the Chief Fiscal Officer of the State, the amount of funds disbursed for
17 desegregation expenses under the "Pulaski County School Desegregation
18 Settlement Agreement." Upon the receipt of such certification, the State
19 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
20 202(b)(2)(B), shall also deduct up to, but not to exceed in total for fiscal
21 year 1993-94 the sum of \$39,500,000 from the net general revenues and transfer
22 this amount to the Public School Fund.

23 (B) For the fiscal year ending June 30, 1995, the Department of
24 Education shall from time to time as needed, certify to the State Treasurer
25 and the Chief Fiscal Officer of the State, the amount of funds disbursed for
26 desegregation expenses under the "Pulaski County School Desegregation
27 Settlement Agreement." Upon the receipt of such certification, the State
28 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
29 202(b)(2)(B), shall also deduct up to, but not to exceed in total for fiscal
30 year 1994-95, the sum of \$39,500,000 from the net general revenues and
31 transfer this amount to the Public School Fund.

32

33 SECTION 23. An amount of funds equal to the average raise provided for
34 certified public school employees each fiscal year by Act 10 of 1991 shall be
35 provided to the certified personnel employed by the North Central Vocational

1 Center and the River Valley Vocational Center from the appropriation and funds
2 authorized herein for Item (04) of Section 1, Minimum Foundation Aid.

3

4 SECTION 24. There is hereby appropriated to the Department of
5 Education, to be payable from the Public School Fund, for establishing and
6 expanding a Parents As Teachers Program (PAT) based upon the Missouri Model
7 including children below age 3 and for developing a PAT Training Center, for
8 the biennial period ending June 30, 1995, the following:

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	FISCAL YEARS	
	<u>1993-94</u>	<u>1994-95</u>
11 (1) GRANT TO EXPAND PAT	\$250,000	\$250,000
12 (2) GRANT TO DEVELOP/ESTABLISH		
13 PAT TRAINING CENTER	<u>200,000</u>	<u>225,000</u>
14 TOTAL APPROPRIATED	<u>\$ 450,000</u>	<u>\$ 475,000</u>

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16
17 SECTION 25. Only public school districts or Education Service
18 Cooperatives established under Act 103 of the First Extraordinary Session of
19 1983 or under Act 349 of 1985 are eligible for grants to operate Parents as
20 Teachers Programs. No local matching funds shall be required for the Parents
21 As Teachers Program. No school district nor any parent or guardian shall be
22 required to participate in the Parents As Teachers Program.

23

24 SECTION 26. REGULAR SALARIES - EARLY CHILDHOOD COMMISSION.
25 There is hereby established for the Department of Education - General
26 Education Division - Early Childhood Commission for the 1993-95 biennium, the
27 following maximum number of regular employees whose salaries shall be governed
28 by the provisions of the Uniform Classification and Compensation Act (Arkansas
29 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
30 Provided, however, that any position to which a specific maximum annual salary
31 is set out herein in dollars, shall be exempt from the provisions of said
32 Uniform Classification and Compensation Act. All persons occupying positions
33 authorized herein are hereby governed by the provisions of the Regular
34 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
35 successor.

			Maximum Annual	
			Maximum	Salary Rate
Item	Class		No. of	Fiscal Years
No.	Code	Title	Employees	1993-94 1994-95
5	(1) 9092	PROGRAM SUPPORT MANAGER	1	GRADE 22
6	(2) R444	BUSINESS COMPTROLLER	1	GRADE 15
7		MAX NO. OF EMPLOYEES	2	

SECTION 27. APPROPRIATIONS - EARLY CHILDHOOD COMMISSION. There is hereby appropriated, to the Department of Education - General Education Division - Early Childhood Commission, to be payable from the Public School Fund from monies received from the Arkansas Better Chance Program, for personal services and operating expenses of the Department of Education - General Education Division - Early Childhood Commission for the biennial period ending June 30, 1995, the following:

ITEM	FISCAL YEARS	
NO.	1993-94	1994-95
(01) REGULAR SALARIES	\$ 40,326	\$ 41,737
(02) PERSONAL SERVICES MATCHING	10,082	10,435
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$149,592	\$147,828
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	<u>149,592</u>	<u>147,828</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 200,000</u>	<u>\$ 200,000</u>

SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this Act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control

1 laws of this State, where applicable, and regulations promulgated by the
2 Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

4

5 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General
6 Assembly that any funds disbursed under the authority of the appropriations
7 contained in this Act shall be in compliance with the stated reasons for which
8 this Act was adopted, as evidenced by the Agency Requests, Executive
9 Recommendations and Legislative Recommendations contained in the budget
10 manuals prepared by the Department of Finance and Administration, letters, or
11 summarized oral testimony in the official minutes of the Arkansas Legislative
12 Council or Joint Budget Committee which relate to its passage and adoption.

13

14 SECTION 30. CODE. All provisions of this Act of a general and
15 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
16 the Arkansas Code Revision Commission shall incorporate the same in the Code.

17

18 SECTION 31. SEVERABILITY. If any provision of this Act or the
19 application thereof to any person or circumstance is held invalid, such
20 invalidity shall not affect other provisions or applications of the Act which
21 can be given effect without the invalid provision or application, and to this
22 end the provisions of this Act are declared to be severable.

23

24 SECTION 32. GENERAL REPEALER. All laws and parts of laws in conflict
25 with this Act are hereby repealed.

26

27 SECTION 33. EMERGENCY CLAUSE. It is hereby found and determined by the
28 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
29 prohibits the appropriation of funds for more than a two (2) year period; that
30 the effectiveness of this Act on July 1, 1993 is essential to the operation of
31 the agency for which the appropriations in this Act are provided, and that in
32 the event of an extension of the Regular Session, the delay in the effective
33 date of this Act beyond July 1, 1993 could work irreparable harm upon the
34 proper administration and provision of essential governmental programs.
35 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and
2 safety shall be in full force and effect from and after July 1, 1993.

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/s/John E. Miller

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APPROVED: 4/12/93

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