

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:
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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 84th
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.
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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.

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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.

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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.

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7 **APPROVED: 1/7/2004**
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