

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas *As Engrossed: H2/23/99 H3/5/99 H3/16/99 H3/26/99 H4/6/99 H4/7/99*

2 82nd General Assembly

A Bill

Act 1392 of 1999

3 Regular Session, 1999

HOUSE BILL 1377

4

5 By: Joint Budget Committee

6

7

8

For An Act To Be Entitled

9

"AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AIDS

10

TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE

11

DEPARTMENT OF EDUCATION - GENERAL EDUCATION DIVISION

12

AND FOR THE DEPARTMENT OF WORKFORCE EDUCATION FOR THE

13

BIENNIAL PERIOD ENDING JUNE 30, 2001; AND FOR OTHER

14

PURPOSES. "

15

16

Subtitle

17

"AN ACT FOR THE DEPARTMENT OF EDUCATION/

18

DEPARTMENT OF WORKFORCE EDUCATION GRANTS

19

AND AIDS APPROPRIATION FOR THE 1999-2001

20

BIENNIAL PERIOD. "

21

22

23

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

24

25

SECTION 1. APPROPRIATION - DEPARTMENT OF EDUCATION - GENERAL EDUCATION

26

DIVISION. There is hereby appropriated, to the Department of Education -

27

General Education Division, to be payable from the Department of Education

28

Public School Fund Account, for grants and aids to local school districts and

29

special programs of the Department of Education - General Education Division

30

for the biennial period ending June 30, 2001, the following:

31

32

ITEM

FISCAL YEARS

33

NO.

1999-2000

2000-2001

34

(01) ALTERNATIVE LEARNING

\$

1,000,000

\$

1,000,000

35

(02) GROWTH FACILITIES FUNDING

2,500,000

1,250,000

36

(03) GENERAL FACILITIES FUNDING

10,000,000

10,000,000

KCA039

1	(04)	I SOLATED FUNDING	5,500,000	5,500,000
2	(05)	STUDENT GROWTH	25,000,000	25,000,000
3	(06)	ADDITIONAL BASE FUNDING	16,110,000	16,110,000
4	(07)	DEBT SERVICE FUNDING SUPPLEMENT	27,000,000	28,250,000
5	(08)	DEPT OF CORRECTION SCHOOL DISTRICT	3,056,885	3,197,502
6	(09)	RESIDENTIAL CENTERS/JUVENILE DETENTION	9,173,950	9,735,900
7	(10)	REVENUE LOSS FUNDING	4,000,000	4,000,000
8	(11)	LIMITED ENGLISH PROFICIENCY STUDENTS	4,200,000	4,200,000
9	(12)	AT RISK	2,192,500	2,192,500
10	(13)	SPECIAL ED - CATASTROPHIC OCCURRENCES	1,000,000	1,500,000
11	(14)	CONSOLIDATION INCENTIVE	1,500,000	1,500,000
12	(15)	INCENTIVE FUNDING	19,000,000	19,000,000
13	(16)	STATE EQUALIZATION FUNDING	1,439,200,000	1,531,700,000
14	(17)	PYGMALION COMMISSION	25,000	25,000
15	(18)	COOPERATIVE EDUCATION TECHNOLOGY		
16		CENTERS OPERATIONS	750,000	750,000
17	(19)	TEACHER RETIREMENT MATCHING	2,995,928	2,995,928
18	(20)	NATIONAL BOARD PROFESSIONAL TEACHING		
19		STANDARDS	100,000	100,000
20	(21)	ADVANCED PLACEMENT INCENTIVE	575,000	575,000
21	(22)	TRANSPORTATION AID/SAFETY TRAINING	9,200,000	9,200,000
22	(23)	CRIMINAL BACKGROUND CHECKS	250,000	250,000
23	(24)	CRIPPLED CHILDREN	193,113	193,113
24	(25)	PUBLIC SCHOOL EMPLOYEE INSURANCE	900,000	900,000
25	(26)	SCHOOL FOOD SERVICES	1,650,000	1,650,000
26	(27)	ECONOMIC EDUCATION	300,000	300,000
27	(28)	PARENTS AS TEACHERS PROGRAM	600,000	600,000
28	(29)	SURPLUS COMMODITIES	175,000	175,000
29	(30)	GRANTS TO SCHOOL DISTRICTS	47,000	47,000
30	(31)	WORKER'S COMPENSATION	2,028,017	2,028,017
31	(32)	SCHOOL FOOD SERVICE - LEGISLATIVE		
32		AUDIT COSTS	100,000	100,000
33	(33)	GIFTED & TALENTED	1,942,896	1,942,896
34	(34)	SCHOOL WORKER DEFENSE	590,000	590,000
35	(35)	BETTER CHANCE-GRANTS	14,900,000	14,900,000
36	(36)	SPECIAL EDUCATION SERVICES	4,420,285	4,420,285

1	(37)	HUMAN DEVELOPMENT CTR EDUC AID	663,000	663,000
2	(38)	MODEL RURAL EARLY CHILD CONSORTIUM	500,000	500,000
3	(39)	COMMUNITY-BASED PILOT GRANTS	439,080	439,080
4	(40)	EARLY CHILDHOOD SPECIAL EDUCATION	6,089,954	6,327,399
5	(41)	WORKERS' COMPENSATION PURCHASE	6,600,000	6,600,000
6	(42)	PARENT INVOLVEMENT	1,000,000	1,000,000
7	(43)	YOUTH SHELTERS	402,500	402,500
8	(44)	TECHNOLOGY IMPROVEMENTS	0	2,000,000
9	(45)	TECHNOLOGY GRANTS	3,805,120	4,000,000
10	(46)	HOME SCHOOL TESTING	50,000	50,000
11	(47)	SMART START	8,578,815	8,578,815
12	(48)	ARK PUBLIC SCHOOL COMPUTER NET	8,000,966	9,358,603
13	(49)	ASSESSMENT/END OF LEVEL TESTING	3,500,000	3,500,000
14	(50)	EDUCATION SERVICE COOPERATIVES	5,257,888	5,257,888
15	(51)	ACADEMIC DISTRESS	1,000,000	1,000,000
16	(52)	POVERTY INDEX	13,000,000	13,000,000
17	(53)	PROGRESS AWARDS	4,000,000	6,000,000
18	(54)	<i>DISTANCE LEARNING</i>	3,000,000	2,500,000
19	(55)	TEACHER LICENSURE	2,500,000	2,500,000
20	(56)	<i>EXCESS LIABILITY INSURANCE FOR</i>		
21		<i>STUDENT SCHOOL BUS PASSENGERS</i>	800,000	800,000
22	(57)	<i>PURCHASE OF SMART START</i>		
23		<i>PROMOTIONAL ITEMS</i>	<u>100,000</u>	<u>100,000</u>
24		<i>TOTAL AMOUNT APPROPRIATED</i>	<u>\$1,680,662,897</u>	<u>\$1,779,655,426</u>

25
 26 SECTION 2. APPROPRIATION - DEPARTMENT OF WORKFORCE EDUCATION. There is
 27 hereby appropriated, to the Department of Workforce Education, to be payable
 28 from the Department of Workforce Education Public School Fund Account, for
 29 grants and aids to local school districts and special programs of the
 30 Department of Workforce Education for the biennial period ending June 30,
 31 2001, the following:

33	ITEM	FISCAL YEARS	
34	<u>NO.</u>	<u>1999-2000</u>	<u>2000-2001</u>
35	(01) ADULT BASIC & GENERAL ADULT ED	\$ 17,973,978	\$ 18,145,570
36	(02) CAPITAL EQUIPMENT	1,282,630	1,282,630

1	(03) COORD CAREER EDUCATION SERVICES/SPECIAL		
2	NEEDS - STUDENTS	1,248,873	1,248,873
3	(04) VOCATIONAL START-UP	2,370,000	2,370,000
4	(05) VOCATIONAL CENTER AID	9,800,000	11,785,500
5	(06) VOCATIONAL SERVICE REIMBURSEMENT	<u>2,800,000</u>	<u>2,800,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 35,475,481</u>	<u>\$ 37,632,573</u>

7

8 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
9 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
10 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
11 Districts appropriation in Section 1 of this Act, "school district" means a
12 school district which contracts with a school district in an adjoining state
13 for the education of some of the pupils within the Arkansas school district
14 because the portion of the school district wherein such pupils live is
15 completely separated from the remainder of the school district by a reservoir
16 covering at least 12,000 acres at normal water level, and where to attend
17 school in their own district, the pupils of said portion would be required to
18 travel or to be transported a distance (measured by the nearest highway or
19 road route) of more than 35 miles round trip and pass through another school
20 district or districts. The Department of Education shall distribute the
21 monies appropriated for Grants to School Districts in Section 1 of this Act to
22 such school districts as reimbursement for expenses incurred in educating the
23 pupils residing in the separated portion of the school district. Such school
24 districts shall file a request for reimbursement with the Department of
25 Education and provide the Department of Education with such documentation as
26 is deemed necessary.

27

28 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
29 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
30 EDUCATION SERVICES. The funds appropriated in the line item "Special
31 Education Services" in Section 1 of this Act shall be used to provide extended
32 year summer programs for handicapped students in need of such services, to
33 provide special education services to foster children who are wards of the
34 State, and to provide funds for the payment of salaries of special education
35 supervisors. The Department of Education shall distribute such funds in the
36 manner necessary to carry out the intent of this Section.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL MATCHING. The funds appropriated in Section 2 of this Act may also be used to match any available federal funds from any agency in order to provide the maximum amount of money possible for the purposes enumerated in such section.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CAPITAL EQUIPMENT RESTRICTIONS. The funds appropriated for "Capital Equipment" in Section 2 herein, shall be administered by the Department of Workforce Education ~~Vocational and Technical Education~~ and shall be used to provide additional assistance to local school districts to enhance and/or upgrade equipment in existing job-specific programs. Pursuant to policies and regulations which include applications, disbursement procedures, and matching requirements of the ~~Vocational and Technical Division~~ Department of Workforce Education, these funds can be used to purchase capital equipment to enhance or technically upgrade existing job-specific vocational programs. Such funds shall be distributed to local school districts in such amounts, as determined by the Department of Workforce Education ~~Vocational and Technical Education Division~~.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School Districts shall pay the teacher retirement employer contribution rate for any eligible employee in accordance with rules and regulations established by the Teacher Retirement Board of Directors. The appropriation contained herein for Teacher Retirement Matching each fiscal year shall be used to provide the employer matching for employees of the Cooperative Education Services Areas, Vocational Centers, Model Vocational - Technical Education Resource Center, *Arkansas Easter Seals* and the school operated by the Department of Correction.

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH INSURANCE. Beginning with the 1996-97 school year, Local School Districts

1 shall pay no less than the health insurance contribution rate established by
2 the State Board of Education for each eligible employee electing to
3 participate in the Public School Employee Health Insurance Program. The
4 Arkansas General Assembly recognizes that the Arkansas State Board of
5 Education has approved and the Arkansas Department of Education has
6 distributed \$12.4 M in additional state equalization aid in December of 1998,
7 and that the Board as well as the Department have recommended that these funds
8 be used by local school districts to increase the employer health insurance
9 contribution for employees participating in the Arkansas Public School Life
10 and Health Insurance Program. Furthermore, the Arkansas General Assembly
11 recognizes that Arkansas public school employees pay a significantly higher
12 portion of health insurance premiums than most public and private sector
13 employees in this state and nation despite the fact that they are among the
14 lowest paid. Therefore, the Arkansas General Assembly encourages local school
15 districts which pay the minimum health insurance contribution of \$114 per
16 month to raise the employer contribution to a reasonable level consistent with
17 the funding increase received by each district in December of 1998. The
18 appropriation contained herein for Public School Employee Insurance each
19 fiscal year shall be used to provide the state contribution for insurance
20 premiums for employees of the Cooperative Education Services Areas, Vocational
21 Centers, Model Vocational - Technical Education Resource Center and the school
22 operated by the Department of Correction who participate in the Arkansas
23 Public School Life and Health Insurance Program.

24
25 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
26 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. VOCATIONAL
27 CENTER START-UP. The appropriations contained herein for Vocational Center
28 Start-Up shall be allocated in accordance with rules and regulations
29 established by the State Board of Workforce Vocational Education and Career
30 Opportunities, after the rules and regulations have undergone a prior review
31 by the Administrative Rules and Regulations Subcommittee of the Arkansas
32 Legislative Council or Joint Budget Committee.

33
34 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATIONAL
36 TRAINING/RETRAINING. Of the funds and appropriation authorized by Item (01) in

1 Section 2 of this Act for Adult Basic and General Adult Education, a sum of
2 \$300,000 each fiscal year shall be made available to *eligible entities*
3 *approved by the State Board of Workforce Education and Career Opportunities,*
4 in order to expand the vocational education and training opportunities
5 available to area citizens in need of adult educational training or retraining
6 due to changing technology.

7

8 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AT-RISK.
10 The funds appropriated for At-Risk shall be used to provide K-3 summer school,
11 college preparatory enrichment programs, and K-3 programs during the regular
12 school year. The Department may expend up to \$500,000 each fiscal year to
13 monitor and assess or enter into a Professional/Consultant Services contract
14 for the purpose of monitoring and assessing the various programs under the
15 purview of the Department of Education. Further, the Department of Education
16 shall report the findings of such monitoring and assessment to the Joint
17 Interim Committee on Education each fiscal year.

18

19 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI
21 COUNTY DESEGREGATION. (A) For the fiscal year ending June 30, ~~1998~~ 2000,
22 the Department of Education shall from time to time as needed, certify to the
23 State Treasurer and the Chief Fiscal Office of the State, the amount of funds
24 disbursed for desegregation expenses under the "Pulaski County School
25 Desegregation Settlement Agreement." Upon the receipt of such certification,
26 the State Treasurer, after making those deductions as set out in Arkansas Code
27 19-5-202(b)(2)(B), shall also deduct up to, but not to exceed in total for
28 fiscal year ~~1997-98~~ 1999-2000 the sum of ~~\$28,000,000~~ 31,000,000 from the net
29 general revenues and transfer this amount to the Department of Education
30 Public School Fund Account.

31 (B) For the fiscal year ending June 30, ~~1999~~ 2001, the Department of
32 Education shall from time to time as needed, certify to the State Treasurer
33 and the Chief Fiscal Office of the State, the amount of funds disbursed for
34 desegregation expenses under the "Pulaski County School Desegregation
35 Settlement Agreement." Upon the receipt of such certification, the State
36 Treasurer, after making those deductions as set out in Arkansas Code 19-5-

1 202(b)(2)(B), shall also deduct up to, but not to exceed in total for fiscal
2 year ~~1998-99~~ 2000-2001 the sum of ~~\$28,100,000~~ 32,800,000 from the net general
3 revenues and transfer this amount to the Department of Education Public School
4 Fund Account.

5
6 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
8 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
9 Incentive shall be allocated in accordance with rules and regulations
10 established by the State Board of Education.

11
12 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RESIDENTIAL
14 CENTERS/JUVENILE DETENTION. The funds appropriated herein for Residential
15 Centers/Juvenile Detention shall be allocated in accordance with rules and
16 regulations established by the State Board of Education.

17
18 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
20 AUTHORITY. The Director of the Department of Education, with the approval of
21 the Chief Fiscal Officer and after approval by the Arkansas Legislative
22 Council or Joint Budget Committee, is hereby authorized to request necessary
23 appropriation transfers and any other budget related adjustments necessary.
24 Determining the maximum number of employees and the maximum amount of
25 appropriation and general revenue funding for a state agency each fiscal year
26 is the prerogative of the General Assembly. This is usually accomplished by
27 delineating such maximums in the appropriation act(s) for a state agency and
28 the general revenue allocations authorized for each fund and fund account by
29 amendment to the Revenue Stabilization law. Further, the General Assembly has
30 determined that the Department of Education may operate more efficiently if
31 some flexibility is provided to the Director of the Department of Education
32 authorizing broad powers under the Transfer Authority provision herein.
33 Therefore, it is both necessary and appropriate that the General Assembly
34 maintain oversight by requiring prior approval of the Legislative Council or
35 Joint Budget Committee as provided by this section. The requirement of
36 approval by the Legislative Council or Joint Budget Committee is not a

1 severable part of this section. If the requirement of approval by the
2 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
3 court jurisdiction, this entire section is void.

4
5 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORKERS'
7 COMPENSATION PURCHASE. The appropriation and funds authorized herein for
8 Purchase of Workers' Compensation Coverage by School Districts and Education
9 Service Cooperatives shall be distributed proportionally by the Department of
10 Education to each of the various school districts based on each school
11 district's average daily membership (ADM) the previous year and to each of the
12 state's education service cooperatives in an amount equal to 50% of the amount
13 each cooperative expended for that purpose the previous year.

14
15 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI
17 COUNTY EDUCATIONAL COOPERATIVE. Of the total amount of appropriation and
18 funds authorized herein each fiscal year for "Education Service Cooperatives",
19 \$328,618 each fiscal year may be made available for the "Pulaski County
20 Educational Cooperative" contingent upon the entry of a final, nonappealable
21 order in the case styled Little Rock School District, et al. V. Pulaski County
22 Special School District, et al., (U.S. District Court, Eastern District of
23 Arkansas, Western Division, No. LR-C-82-866) relieving the State of Arkansas
24 and its departments and officials of any further obligation to provide funds
25 for the operation of the federal Office of Desegregation Monitoring (ODM) or
26 any successors to ODM. None of the funds appropriated herein for Education
27 Service Cooperatives shall be disbursed for the Pulaski County Educational
28 Cooperative unless and until such an order is entered.

29
30 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
32 EQUALIZATION FUNDING. Of the total amount appropriated each fiscal year of the
33 ~~1997-99~~ 1999-2001 biennium for State Equalization Funding, the Department of
34 Education shall allocate funding and distribute an amount not less than
35 ~~\$1,294,000,000~~ 1,390,000,000 during the ~~1997-98~~ 1999-2000 fiscal year and an
36 amount not less than ~~\$1,327,600,000~~ 1,460,000,000 during the ~~1998-99~~ 2000-01

1 fiscal year for State Equalization Funding.
 2 If the Chief Fiscal Officer of the State reduces the revenue forecast for the
 3 Department of Education Public School Fund Account below \$1,472,288,000 during
 4 the 1999-00 fiscal year or below \$1,539,476,000 for the 2000-01 fiscal year
 5 the State Board of education may reduce State Equalization Funding prescribed
 6 in this Section by eighty-five (85%) of the difference. If the Chief Fiscal
 7 Officer increases the revenue forecast above \$1,472,288,000 during the 1999-00
 8 fiscal year or above \$1,539,476,000 for the 2000-01 fiscal year the State
 9 Board of Education shall increase State Equalization by 85% of the increase.

10
 11 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 13 TRANSFER. On the effective date of this Act the Chief Fiscal Officer of the
 14 State shall transfer on his books and those of the State Treasurer the sum of
 15 two hundred thousand dollars (\$200,000) from the Economic Development of
 16 Arkansas Fund to the Department of Education Public School Fund Account to
 17 provide \$100,000 of additional funding each fiscal year of the 1999-01
 18 Biennium for the Economic Education line item authorized herein.

19
 20 SECTION 20. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby
 21 appropriated, to the Department of Education - General Education Division, to
 22 be payable from the General Improvement Fund or its successor fund or fund
 23 account, for Advanced Spatial Technologies, the sum of \$3,000,000 for fiscal
 24 year 1999-00 and the sum of \$2,500,000 for fiscal year 2000-01.

25
 26 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 27 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW PROGRAM
 28 REVIEW. The Department of Education shall prepare and present for legislative
 29 review, an analysis of all new line item programs contained in Section 1 of
 30 this Act that were not specifically authorized by line item appropriation
 31 previously by the 81st General Assembly, either in Act 1361 or Act 1362 of
 32 1997. The study shall include, but not be limited to, each program's
 33 objectives, goals and actual performance, the benefits, impact and effects
 34 associated with each program, the justification for continuing the program,
 35 and the resulting consequences and impact of discontinuing the program. The
 36 report shall be presented by the Director of the Department of Education to

1 the Arkansas Legislative Council/Joint Budget Committee, or its appropriate
2 subcommittee, during budget hearings in the fall of 2000 in order to assist in
3 the legislative determination of each new programs effectiveness during the
4 1999-01 biennium.

5
6 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
8 PROJECT FUNDING. The Department of Education shall allocate and distribute
9 funding of \$2,000,000 in the 1999-00 Fiscal Year and \$1,000,000 in the 2000-01
10 Fiscal Year for the EAST Project financed either wholly or in part from state
11 grants or federal grants, or both, or wholly or in part from fund balances
12 available to the Department of Education - General Education Division, or
13 both.

14
15 SECTION 23. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
16 by this act shall be limited to the appropriation for such agency and funds
17 made available by law for the support of such appropriations; and the
18 restrictions of the State Purchasing Law, the General Accounting and Budgetary
19 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures
20 and Restrictions Act, or their successors, and other fiscal control laws of
21 this State, where applicable, and regulations promulgated by the Department of
22 Finance and Administration, as authorized by law, shall be strictly complied
23 with in disbursement of said funds.

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

33
34 SECTION 25. CODE. All provisions of this Act of a general and permanent
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
36 Code Revision Commission shall incorporate the same in the Code.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 26. SEVERABILITY. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable, *except as provided in Section 15 herein.*

SECTION 27. GENERAL REPEALER. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 28. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1999 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1999 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1999.

/s/ Joint Budget Committee

APPROVED: 4/13/1999