

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S1/31/01 S2/5/01

A Bill

Act 228 of 2001
SENATE BILL 337

5 By: *Joint Budget Committee*
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT OF THE
10 ARKANSAS EDUCATION ASSOCIATION V. ARKANSAS DEPARTMENT
11 OF EDUCATION, NO. 93-3962, SETTLEMENT FOR THE
12 DEPARTMENT OF EDUCATION; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION
16 AND AEA SETTLEMENT APPROPRIATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. APPROPRIATION - AEA - SETTLEMENT. There is hereby appropriated,
23 to the Department of Education, to be payable from the General Revenue
24 Allotment Reserve Fund, for the payment of the Arkansas Education Association
25 V. Arkansas Department of Education, NO. 93-3962 settlement, the sum of
26 \$1,597,913.
27

28 SECTION 2. *This act is not an admission of liability on the part of the*
29 *State of Arkansas or any agency or official thereof nor is it a waiver of*
30 *sovereign immunity or any other defenses or immunities available to the State*
31 *of Arkansas.*
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33 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
34 this act shall be limited to the appropriation for such agency and funds made
35 available by law for the support of such appropriations; and the restrictions
36 of the State Purchasing Law, the General Accounting and Budgetary Procedures

1 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
2 Restrictions Act, or their successors, and other fiscal control laws of this
3 State, where applicable, and regulations promulgated by the Department of
4 Finance and Administration, as authorized by law, shall be strictly complied
5 with in disbursement of said funds.

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7 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
8 that any funds disbursed under the authority of the appropriations contained
9 in this act shall be in compliance with the stated reasons for which this act
10 was adopted, as evidenced by the Agency Requests, Executive Recommendations
11 and Legislative Recommendations contained in the budget manuals prepared by
12 the Department of Finance and Administration, letters, or summarized oral
13 testimony in the official minutes of the Arkansas Legislative Council or Joint
14 Budget Committee which relate to its passage and adoption.

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16 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
17 Assembly that the Department of Education was required by circuit court order
18 in 1995 to determine which public school districts in this state have failed
19 to meet their fifty-six percent (56%) obligation; that the deadline for those
20 districts to meet their fifty-six percent (56%) obligation is March 1, 2001;
21 that some school districts do not have adequate funds available to meet their
22 fifty-six percent (56%) obligation; that the court order requires the
23 Department of Education to stop state funding of those school districts on
24 March 1, 2001; that the court order authorizes the department, the plaintiffs,
25 and the individual school district to enter into a negotiated settlement of
26 the school districts' alleged liability; and that this act will provide some
27 matching funds to accomplish the settlement and thereby avoid the withholding
28 of state funds as of March 1, 2001. Therefore, an emergency is hereby
29 declared to exist and this Act being necessary for the immediate preservation
30 of the public peace, health and safety shall be in full force and effect from
31 and after the date of its passage and approval.

32 If the bill is neither approved nor vetoed by the Governor, it shall become
33 effective on the expiration of the period of time during which the Governor
34 may veto the bill. If the bill is vetoed by the Governor and the veto is
35 overridden, it shall become effective on the date the last house overrides the
36 veto.

/s/ Joint Budget Committee

APPROVED: 2/13/2001

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