

**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.
Act 1846 of the Regular Session**

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 1866

5 By: Representatives Cook, Dangeau, Elliott, Mahony, Saunders, Stovall
6 By: Senators Argue, Broadway, Salmon, Whitaker
7

For An Act To Be Entitled

10 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
11 SERVICES FOR THE DEPARTMENT OF EDUCATION WHICH
12 SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE
13 FUNDS APPROPRIATED BY ACT 1608 OF 2003, AND TO
14 AMEND ACT 1608 OF 2003; AND FOR OTHER PURPOSES.
15

Subtitle

16 AN ACT FOR THE DEPARTMENT OF EDUCATION -
17 PERSONAL SERVICES SUPPLEMENTAL
18 APPROPRIATION AND TO AMEND ACT 1608 OF
19 2003.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department
27 of Education, to be payable from the Department of Education Fund Account,
28 for personal services of the Department of Education which shall be
29 supplemental and in addition to those funds appropriated in Section 3 of Act
30 1608 of 2003, the following:
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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2004-2005</u>
(01) REGULAR SALARIES	\$ 32,669
(02) PERSONAL SERV MATCHING	<u>8,821</u>



1 TOTAL AMOUNT APPROPRIATED \$ 41,490

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3 SECTION 2. Item No.(1) of Section 1 of Act 1608 of 2003 is amended to read
4 as follows:

5	(1) 9945 ED DIRECTOR - GENERAL DIVISION	1	\$119,768	\$122,295
6	(1) 9945 ED DIRECTOR - GENERAL DIVISION	1	\$119,768	\$200,700

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8 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARY OF
10 THE DIRECTOR OF THE DEPARTMENT OF EDUCATION. It is the intent of the
11 General Assembly that the appropriation for the salary of the Director of the
12 Department of Education shall be the sole and exclusive authority for his or
13 her salary. It is further the intent of the General Assembly that the
14 Director be required to devote all of his or her working time exclusively to
15 the performance of his or her duties as Director of the Department of
16 Education. Therefore, the Director of the Department of Education is hereby
17 prohibited from accepting any additional salary from any other source
18 (including state, federal, or private entities or persons) for the
19 performance of his or her duties as Director, and is prohibited from
20 accepting any salary, fees or compensation from any other source (including
21 state, federal or private entities or persons) for any other employment of
22 any kind outside the scope of his or her duties as Director, including but
23 not limited to consulting work for any other public or private entity. This
24 section shall not be construed to prohibit the Director from accepting or
25 receiving expense reimbursements and employee benefits as provided by State
26 law.

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28 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
29 by this act shall be limited to the appropriation for such agency and funds
30 made available by law for the support of such appropriations; and the
31 restrictions of the State Purchasing Law, the General Accounting and
32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
33 Procedures and Restrictions Act, or their successors, and other fiscal
34 control laws of this State, where applicable, and regulations promulgated by
35 the Department of Finance and Administration, as authorized by law, shall be
36 strictly complied with in disbursement of said funds.

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

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that funds provided by the General Assembly for the operations of the Department of Education in Act 1608 of 2003 are insufficient to maintain adequate personnel for the position of Director of the Department of Education due to competitive labor market conditions, and that the provisions of this act will provide the necessary monies for the Department of Education to continue such services; and that a delay in the effective date of this Act 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 the date of its passage and approval.

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

APPROVED: 04/08/2005

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