

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 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 1720

5 By: Representative Bond
6
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
10 OF EDUCATION FOR PAYMENT OF CONSULTANTS, EXPERT
11 WITNESSES, ATTORNEYS FEES, OR OTHER COSTS OF THE
12 PULASKI COUNTY DESEGREGATION CASE; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF EDUCATION -
17 PULASKI COUNTY DESEGREGATION CASE COSTS
18 GENERAL IMPROVEMENT APPROPRIATION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

SECTION 1. APPROPRIATIONS - PULASKI COUNTY DESEGREGATION CASE COSTS.

24 There is hereby appropriated, to the Department of Education, to be payable
25 from the General Improvement Fund or its successor fund or fund accounts, the
26 following:
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28 (A) For payment of consultants, expert witnesses, attorneys fees, or other
29 costs related to investigating and pursuing the end of the Pulaski County
30 Desegregation Case, the sum of\$1,000,000.
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32 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI
34 COUNTY DESEGREGATION CONSULTANTS. The Department of Education in
35 consultation with the Attorney General shall hire consultants on the
36 following basis:



1 (1) The consultants shall be qualified as experts in public school
2 district desegregation;

3 (2) The department shall hire the consultants prior to October 1, 2007;

4 (3) The purposes for employing the consultants are to determine whether
5 and in what respects any of the three (3) Pulaski County school districts:

6 (A)(i) Are unitary;

7 (ii) If a school district has been declared unitary or
8 has been declared unitary in some respects, the consultants shall not examine
9 the school district on those issues; and

10 (B) Have complied with their respective consent decrees;

11 and

12 (4) The consultants shall understand and acknowledge in their work and
13 research that their testimony in court may be required.

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15 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
16 obligations otherwise incurred in relation to the project or projects
17 described herein in excess of the State Treasury funds actually available
18 therefor as provided by law. Provided, however, that institutions and
19 agencies listed herein shall have the authority to accept and use grants and
20 donations including Federal funds, and to use its unobligated cash income or
21 funds, or both available to it, for the purpose of supplementing the State
22 Treasury funds for financing the entire costs of the project or projects
23 enumerated herein. Provided further, that the appropriations and funds
24 otherwise provided by the General Assembly for Maintenance and General
25 Operations of the agency or institutions receiving appropriation herein shall
26 not be used for any of the purposes as appropriated in this act.

27 (B) The restrictions of any applicable provisions of the State Purchasing
28 Law, the General Accounting and Budgetary Procedures Law, the Revenue
29 Stabilization Law and any other applicable fiscal control laws of this State
30 and regulations promulgated by the Department of Finance and Administration,
31 as authorized by law, shall be strictly complied with in disbursement of any
32 funds provided by this act unless specifically provided otherwise by law.

33
34 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
35 that any funds disbursed under the authority of the appropriations contained
36 in this act shall be in compliance with the stated reasons for which this act

1 was adopted, as evidenced by the Agency Requests, Executive Recommendations
2 and Legislative Recommendations contained in the budget manuals prepared by
3 the Department of Finance and Administration, letters, or summarized oral
4 testimony in the official minutes of the Arkansas Legislative Council or
5 Joint Budget Committee which relate to its passage and adoption.

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7 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
8 Assembly, that the Constitution of the State of Arkansas prohibits the
9 appropriation of funds for more than a two (2) year period; that the
10 effectiveness of this Act on July 1, 2007 is essential to the operation of
11 the agency for which the appropriations in this Act are provided, and that in
12 the event of an extension of the Regular Session, the delay in the effective
13 date of this Act beyond July 1, 2007 could work irreparable harm upon the
14 proper administration and provision of essential governmental programs.
15 Therefore, an emergency is hereby declared to exist and this Act being
16 necessary for the immediate preservation of the public peace, health and
17 safety shall be in full force and effect from and after July 1, 2007.

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