

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 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

HOUSE BILL 1364

5 By: Representative M. Burris  
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7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND  
10 AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL  
11 PROGRAMS FOR THE DEPARTMENT OF EDUCATION WHICH  
12 SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE  
13 FUNDS APPROPRIATED BY ACT 229 OF 2007; AND FOR  
14 OTHER PURPOSES.

## Subtitle

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17 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
18 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS  
19 SUPPLEMENTAL APPROPRIATION.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. APPROPRIATION - 98% URT ACTUAL COLLECTION ADJUSTMENT. There is  
26 hereby appropriated, to the Department of Education, to be payable from the  
27 Department of Education Public School Fund Account, for grants and aid to  
28 local school districts and special programs of the Department of Education  
29 which shall be supplemental and in addition to those funds appropriated in  
30 Section 1 of Act 229 of 2007, the following:  
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ITEM	FISCAL YEAR
NO.	2008-2009
(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	\$ <u>1,626,053</u>

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36 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ONE-TIME  
 2 SPECIAL ALLOCATION PROVISION. The Department of Education shall use the one  
 3 million six hundred twenty-six thousand fifty-three dollars (\$1,626,053)  
 4 appropriated to the Department of Education in Section 1 of this Act to  
 5 restore to the school districts listed below the recoupment the Department of  
 6 Education received from the school districts under Arkansas Code  
 7 §6-20-2305(a)(4)(B) for fiscal year 2007-2008. The purpose of restoring the  
 8 fiscal year 2007-2008 recoupment is to ensure that the calculation of net  
 9 revenues for the following public school districts under Arkansas Code  
 10 §6-20-2305(a)(4)(A) results in the correct amount of foundation funding  
 11 available under Arkansas Code §6-20-2305(a)(1) and (2) for the listed public  
 12 school districts. The appropriation in Section 1 of this Act shall be  
 13 allocated by the Department of Education as follows:

<u>School District</u>	<u>Allocation</u> <u>Amount</u>
<u>Mulberry/Pleasant View School District</u>	<u>\$ 2,435</u>
<u>Omaha School District</u>	<u>\$ 3,486</u>
<u>Weiner School District</u>	<u>\$ 4,570</u>
<u>Cutter-Morning Star School District</u>	<u>\$ 14,795</u>
<u>Alma School District</u>	<u>\$ 15,907</u>
<u>Norphlet School District</u>	<u>\$ 23,318</u>
<u>Mountainburg School District</u>	<u>\$ 28,410</u>
<u>Blevins School District</u>	<u>\$ 39,465</u>
<u>Izard County Consolidated School District</u>	<u>\$ 46,901</u>
<u>Hot Springs School District</u>	<u>\$ 55,739</u>
<u>Ozark School District</u>	<u>\$ 61,130</u>
<u>Van Buren School District</u>	<u>\$ 87,090</u>
<u>Russellville School District</u>	<u>\$ 145,426</u>
<u>Magnet Cove School District</u>	<u>\$ 309,214</u>
<u>El Dorado School District</u>	<u>\$ 788,167</u>
<u>TOTAL</u>	<u>\$1,626,053</u>

33 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 34 by this act shall be limited to the appropriation for such agency and funds  
 35 made available by law for the support of such appropriations; and the  
 36 restrictions of the State Procurement 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 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  
 14 Joint 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 appropriations provided by the General Assembly for the  
 18 operations of the Department of Education and the implementation of Act 272  
 19 of 2007, are intended to provide the amount of foundation funding necessary  
 20 for public school districts to provide a substantially equal opportunity for  
 21 an adequate education to all public school children in this state; that due  
 22 to unforeseen circumstances, the recoupment of funds under Arkansas Code  
 23 §6-20-2305 (a)(4)(B) for fiscal year 2007-2008 created an unintended hardship  
 24 on the affected school districts; that the provisions of this Act will  
 25 provide the necessary appropriations for the Department of Education to  
 26 restore the 2007-2008 recoupment and continue to provide essential  
 27 governmental services; and that a delay in the effective date of this Act  
 28 could work irreparable harm upon the proper administration and provision of  
 29 essential governmental programs. Therefore, an emergency is hereby declared  
 30 to exist and this Act being necessary for the immediate preservation of the  
 31 public peace, health and safety shall be in full force and effect from and  
 32 after the date of its passage and approval.

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

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