

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

As Engrossed: H3/3/09
A Bill

HOUSE BILL 1364

5 By: Representatives M. Burris, Cooper, Dale, George, R. Green, Lea, Lovell, Lowery, M. Martin,
6 Overbey, Powers, Pyle, Saunders, Shelby, Wells
7 By: Senators G. Baker, Faris
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9

10 **For An Act To Be Entitled**

11 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND
12 AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL
13 PROGRAMS FOR THE DEPARTMENT OF EDUCATION WHICH
14 SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE
15 FUNDS APPROPRIATED BY ACT 229 OF 2007; AND FOR
16 OTHER PURPOSES.
17
18

19 **Subtitle**

20 AN ACT FOR THE DEPARTMENT OF EDUCATION -
21 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS
22 SUPPLEMENTAL APPROPRIATION.
23
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. APPROPRIATION - 98% URT ACTUAL COLLECTION ADJUSTMENT. There is
28 hereby appropriated, to the Department of Education, to be payable from the
29 Department of Education Public School Fund Account, for grants and aid to
30 local school districts and special programs of the Department of Education
31 which shall be supplemental and in addition to those funds appropriated in
32 Section 1 of Act 229 of 2007, the following:
33

ITEM	FISCAL YEAR
NO.	2008-2009
(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	\$ <u>1,626,053</u>



SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ONE-TIME SPECIAL ALLOCATION PROVISION. The Department of Education shall use the one million six hundred twenty-six thousand fifty-three dollars (\$1,626,053) appropriated to the Department of Education in Section 1 of this Act to restore to the school districts listed below the recoupment the Department of Education received from the school districts under Arkansas Code §6-20-2305(a)(4)(B) for fiscal year 2007-2008. The purpose of restoring the fiscal year 2007-2008 recoupment is to ensure that the calculation of net revenues for the following public school districts under Arkansas Code §6-20-2305(a)(4)(A) results in the correct amount of foundation funding available under Arkansas Code §6-20-2305(a)(1) and (2) for the listed public school districts. The appropriation in Section 1 of this Act shall be allocated by the Department of Education as follows:

<u>School District</u>	<u>Allocation 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>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ONE-TIME

1 SPECIAL ALLOCATION PROVISION MANDATORY FUNDING. The Department of Education
2 shall allocate, budget and commit for expenditure funds available in the
3 Department of Education Public School Fund Account and the Educational
4 Adequacy Fund in the amount of one million six hundred twenty-six thousand
5 fifty-three dollars (\$1,626,053) to fund the One-Time Special Allocation
6 Provision provided for in SECTION 2 and appropriated in SECTION 1 of this
7 act.

8 The provisions of this section shall be in effect only from the date of
9 this act's passage and approval through June 30, 2009.

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11 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
12 by this act shall be limited to the appropriation for such agency and funds
13 made available by law for the support of such appropriations; and the
14 restrictions of the State Procurement Law, the General Accounting and
15 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
16 Procedures and Restrictions Act, or their successors, and other fiscal
17 control laws of this State, where applicable, and regulations promulgated by
18 the Department of Finance and Administration, as authorized by law, shall be
19 strictly complied with in disbursement of said funds.

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

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30 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
31 Assembly, that appropriations provided by the General Assembly for the
32 operations of the Department of Education and the implementation of Act 272
33 of 2007, are intended to provide the amount of foundation funding necessary
34 for public school districts to provide a substantially equal opportunity for
35 an adequate education to all public school children in this state; that due
36 to unforeseen circumstances, the recoupment of funds under Arkansas Code

1 §6-20-2305 (a)(4)(B) for fiscal year 2007-2008 created an unintended hardship
2 on the affected school districts; that the provisions of this Act will
3 provide the necessary appropriations for the Department of Education to
4 restore the 2007-2008 recoupment and continue to provide essential
5 governmental services; and that a delay in the effective date of this Act
6 could work irreparable harm upon the proper administration and provision of
7 essential governmental programs. Therefore, an emergency is hereby declared
8 to exist and this Act being necessary for the immediate preservation of the
9 public peace, health and safety shall be in full force and effect from and
10 after the date of its passage and approval.

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

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17 */s/ M. Burris*
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