

C

ARKANSAS SENATE

89th General Assembly - Regular Session, 2013

Amendment Form

DRAFT

Subtitle of Senate Bill No. 122

AN ACT FOR THE DEPARTMENT OF HIGHER EDUCATION APPROPRIATION FOR THE 2013-2014
FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 122

Amend Senate Bill No. 122 as engrossed, S2/14/13 (version: 02/14/2013 10:08:38 AM):

Page 9, immediately following SECTION 15, insert a new section:

" SECTION 16. APPROPRIATION – OUTCOME-CENTERED FUNDING AWARDS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for distribution of Outcome-Centered Funding Awards to Institutions of Higher Education by the Department of Higher Education for the fiscal year ending June 30, 2014, the following:

ITEM NO.	FISCAL YEAR 2013-2014
(01) OUTCOME-CENTERED AWARDS – UNIVERSITIES	\$19,697,492
(02) OUTCOME-CENTERED AWARDS – COLLEGES	\$7,001,770
TOTAL AMOUNT APPROPRIATED	<u>\$26,699,262"</u>

AND

Page 22, immediately following SECTION 41, insert two new sections:

" SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OUTCOME-CENTERED FUNDING AWARDS. Upon certification of the Director of the Department of Higher Education, the Chief Fiscal Officer of the State shall transfer to the Department of Higher Education Fund Account certified amounts based upon the outcome-centered funding policy of the Arkansas Higher Education Coordinating Board from the State Treasury funds of the Institutions of Higher Education. The Department of Higher Education will distribute funds from the Outcome-Centered Funding Awards Appropriation based upon the outcome-centered funding policy of the Arkansas Higher Education Coordinating Board.

The provisions of this section shall be in effect only from July 1, 2013 through June 30, 2014.

SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADMINISTRATIVE FEES. The Department of Higher Education is authorized to recover non-refundable administrative fees related to the institutional certification and exemption process for out-of-state, non-public, and for-profit colleges and universities. These fees include a notification fee, an application processing fee, and travel expenses for the certification review teams.

The provisions of this section shall be in effect only from July 1, 2013 through June 30, 2014."

AND

Appropriately renumber the SECTION numbers.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator <NA>

By: Representative H. Wilkins

TWV/TWV - 03-27-2013 10:13:32

TWV163

Secretary

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: S2/14/13

A Bill

SENATE BILL 122

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HIGHER
10 EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2014;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HIGHER
15 EDUCATION APPROPRIATION FOR THE 2013-2014
16 FISCAL YEAR.
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby
23 established for the Department of Higher Education for the 2013-2014 fiscal
24 year, the following maximum number of regular employees.
25

				Maximum	Maximum Annual
				No. of	Salary Rate
Item	Class			Fiscal Year	
No.	Code	Title	Employees	2013-2014	
30	(1)	U024U	DHE DIRECTOR	1	\$201,310
31	(2)	U089U	DHE DEPUTY DIRECTOR	1	\$144,846
32	(3)	N002N	DHE SENIOR ASSOC DIRECTOR	2	GRADE N913
33	(4)	N041N	DHE ASSOC DIR FOR ACADEMIC AFFAIRS	1	GRADE N909
34	(5)	N055N	DHE ASSOCIATE DIRECTOR	2	GRADE N908
35	(6)	N054N	DHE CAREER PATHWAYS DIRECTOR	1	GRADE N908
36	(7)	G019C	GENERAL COUNSEL	1	GRADE C127



1	(01) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	\$100,000
3	(B) CONF. & TRAVEL	0
4	(C) PROF. FEES	100,000
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	0
7	(02) COMPLETE COLLEGE AMERICA GRANTS	<u>800,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$1,000,000</u>

9

10 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMERGENCY
12 GRANTS & EXTRA HELP POOL. An Institution of higher education that suffers an
13 emergency/disaster event resulting in all or a significant portion of campus
14 operations being interrupted, may request disaster assistance through the
15 Arkansas Department of Higher Education. Upon the declaration of an
16 emergency by the Governor, the institution may request, subject to the
17 recommendation of the Director of the Department of Higher Education and
18 approval of the Governor, a grant from the Disaster Relief Fund to assist in
19 returning that campus to operation and/or to a sister campus providing
20 services to the students from the affected campus. Certified law enforcement
21 officers employed by an institution of higher education may be granted
22 jurisdiction at the sister institution, upon agreement of both institutions.
23 The Department of Higher Education is authorized a pool of 500 extra help
24 positions for use in such emergency situations. These positions may be
25 assigned to the campus suffering the disaster event or to a sister campus
26 providing services to the students from the affected campus. The Governor
27 may waive the 1,500 hour limit of ACA 6-63-314 on these assigned extra help
28 pool positions.

29 The provisions of this section shall be in effect only from July 1, ~~2012~~
30 2013 through June 30, ~~2013~~ 2014.

31

32 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon
35 determination by the president or chancellor of an institution of higher
36 education that a reallocation of resources for purposes of reorganization or

1 transfer based upon the consumer price index.

2

3 SECTION 41. SPECIAL LANGUAGE. Arkansas Code Title 6, Chapter 62,
4 Subchapter 3 is amended to read as follows:

5

6 6-62-314. Construction Project Exemption.

7 The following state-supported institutions of higher education shall be
8 exempt as allowed by §19-4-1415(b)(5) for construction projects exceeding
9 five million dollars (\$5,000,000) if they have adopted policies and
10 procedures in compliance with state law involving the awarding and oversight
11 of the contracts for design and construction services:

12

13 (1) Henderson State University;

14

15 (2) Southern Arkansas University – Magnolia;

16

17 (3) University of Central Arkansas;

18

19 (4) Mid-South Community College;

20

21 (5) National Park Community College; ~~and~~

22

23 (6) Northwest Arkansas Community College; and

24

25 (7) Rich Mountain Community College.

26

→ 27 SECTION 42. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
28 authorized by this act shall be limited to the appropriation for such agency
29 and funds made available by law for the support of such appropriations; and
30 the restrictions of the State Procurement Law, the General Accounting and
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
32 Procedures and Restrictions Act, or their successors, and other fiscal
33 control laws of this State, where applicable, and regulations promulgated by
34 the Department of Finance and Administration, as authorized by law, shall be
35 strictly complied with in disbursement of said funds.

36

ARKANSAS SENATE

89th General Assembly - Regular Session, 2013

Amendment Form

DRAFT

Subtitle of Senate Bill No. 122

AN ACT FOR THE DEPARTMENT OF HIGHER EDUCATION APPROPRIATION FOR THE 2013-2014
FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 122

Amend Senate Bill No. 122 as engrossed, S2/14/13 (version: 02/14/2013 10:08:38 AM)

Pages 20, 21, and 22, delete SECTION 40 entirely

AND

Appropriately renumber the subsequent SECTIONS

DRAFT

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator <NA>

By: Representative Neal

TWV/TWV - 03-19-2013 13:35:54

TWV160

Secretary

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: S2/14/13

A Bill

SENATE BILL 122

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HIGHER
10 EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2014;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HIGHER
16 EDUCATION APPROPRIATION FOR THE 2013-2014
17 FISCAL YEAR.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby
23 established for the Department of Higher Education for the 2013-2014 fiscal
24 year, the following maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
30	(1) U024U	DHE DIRECTOR	1	\$201,310
31	(2) U089U	DHE DEPUTY DIRECTOR	1	\$144,846
32	(3) N002N	DHE SENIOR ASSOC DIRECTOR	2	GRADE N913
33	(4) N041N	DHE ASSOC DIR FOR ACADEMIC AFFAIRS	1	GRADE N909
34	(5) N055N	DHE ASSOCIATE DIRECTOR	2	GRADE N908
35	(6) N054N	DHE CAREER PATHWAYS DIRECTOR	1	GRADE N908
36	(7) G019C	GENERAL COUNSEL	1	GRADE C127



1 (5) Titles shall not be assigned to the institution from the central pool
2 until specific positions are requested by the institution, recommended by the
3 Department of Higher Education and approved by the Arkansas Legislative
4 Council or the Joint Budget Committee.

5 (6) If an institution requests any central pool position to be continued
6 during the subsequent fiscal year, the position must be requested as a new
7 position in the institution's subsequent fiscal year budget request.

8 (c) Determining the maximum number of employees and the maximum amount of
9 appropriation and general revenue funding for institutions of higher
10 education each fiscal year is the prerogative of the General Assembly. This
11 is usually accomplished by delineating such maximums in the appropriation
12 act(s) for institutions of higher education and the general revenue
13 allocations authorized for each fund and fund account by amendment to the
14 Revenue Stabilization law. Further, the General Assembly has determined that
15 institutions of higher education may operate more efficiently if some
16 flexibility is provided to institutions of higher education authorizing broad
17 powers under this Section. Therefore, it is both necessary and appropriate
18 that the General Assembly maintain oversight by requiring prior approval of
19 the Legislative Council or Joint Budget Committee as provided by this
20 section. The requirement of approval by the Legislative Council or Joint
21 Budget Committee is not a severable part of this section. If the requirement
22 of approval by the Legislative Council or Joint Budget Committee is ruled
23 unconstitutional by a court of competent jurisdiction, this entire section is
24 void.

25 The provisions of this section shall be in effect only from July 1, ~~2012~~
26 2013 through June 30, ~~2013~~ 2014.

27

28 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SREB
30 MINORITY DOCTORAL SCHOLARS PROGRAM REGULATIONS. The Department of Higher
31 Education is authorized to promulgate rules and regulations for the
32 administration of the Southern Regional Education Board (SREB) Minority
33 Doctoral Scholars program.

34

35 → SECTION 40. SPECIAL LANGUAGE. Arkansas Code Title 6, Chapter 62,
36 Section 803, concerning limits on funding of athletic programs, is amended to

1 read as follows:

2 6-62-803. Limits on funding.

3 ~~(a) Beginning in fiscal year 1991-1992, the amount of unrestricted~~
4 ~~educational and general funds for intercollegiate athletic programs at state-~~
5 ~~supported institutions of higher education shall be limited to four hundred~~
6 ~~fifty thousand dollars (\$450,000) at four-year institutions and to fifty-one~~
7 ~~dollars (\$51,000) per full-time equivalent student per year at two-year~~
8 ~~branches of four-year institutions and at other two-year institutions of~~
9 ~~higher education.~~

10 ~~(b)(1) Beginning in fiscal year 1997-1998, state-supported four-year~~
11 ~~institutions of higher education may use an additional three hundred thousand~~
12 ~~dollars (\$300,000) per fiscal year of unrestricted educational and general~~
13 ~~funds to provide gender equity in intercollegiate athletic programs.~~

14 ~~- (2) Two-year branches of the four-year institutions and other two-year~~
15 ~~institutions of higher education may use an additional amount of unrestricted~~
16 ~~educational and general funds for providing gender equity in intercollegiate~~
17 ~~athletic programs in the amount of thirty-four dollars (\$34.00) per full-~~
18 ~~time equivalent student per year.~~

19 ~~(c)(1) Beginning in fiscal year 2005-2006, the limits on the amount of~~
20 ~~unrestricted educational and general funds for intercollegiate athletic~~
21 ~~programs at state-supported institutions of higher education set forth in~~
22 ~~subsections (a) and (b) of this section shall be adjusted as determined by~~
23 ~~the Department of Higher Education based on the consumer price index.~~

24 ~~- (2)(A) For fiscal year 2005-2006, the adjustments shall take into~~
25 ~~account the inflation increases since the figures set forth in subsections~~
26 ~~(a) and (b) of this section were established or last adjusted.~~

27 ~~- (B) In subsequent years, the adjustment shall be for the period~~
28 ~~from the last adjustment to the beginning of the relevant fiscal year.~~

29 (a) For the certification required under §6-62-805, the amount allowed to be
30 budgeted of unrestricted educational and general funds for intercollegiate
31 athletic programs at state-supported institutions of higher education shall
32 be limited to an amount established by the Department of Higher Education for
33 the fiscal year 2012-2013 or an amount of not more than two and one half
34 percent (2.5%) of the actual total unrestricted educational and general
35 revenues of the previous fiscal year at institutions of higher education.

36 (b) The Department of Higher Education shall annually adjust the allowable

1 transfer based upon the consumer price index.

2

3 SECTION 41. SPECIAL LANGUAGE. Arkansas Code Title 6, Chapter 62,
4 Subchapter 3 is amended to read as follows:

5

6 6-62-314. Construction Project Exemption.

7 The following state-supported institutions of higher education shall be
8 exempt as allowed by §19-4-1415(b)(5) for construction projects exceeding
9 five million dollars (\$5,000,000) if they have adopted policies and
10 procedures in compliance with state law involving the awarding and oversight
11 of the contracts for design and construction services:

12

13 (1) Henderson State University;

14

15 (2) Southern Arkansas University – Magnolia;

16

17 (3) University of Central Arkansas;

18

19 (4) Mid-South Community College;

20

21 (5) National Park Community College; ~~and~~

22

23 (6) Northwest Arkansas Community College; and

24

25 (7) Rich Mountain Community College.

26

27 SECTION 42. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
28 authorized by this act shall be limited to the appropriation for such agency
29 and funds made available by law for the support of such appropriations; and
30 the restrictions of the State Procurement Law, the General Accounting and
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
32 Procedures and Restrictions Act, or their successors, and other fiscal
33 control laws of this State, where applicable, and regulations promulgated by
34 the Department of Finance and Administration, as authorized by law, shall be
35 strictly complied with in disbursement of said funds.

36

ARKANSAS SENATE

89th General Assembly - Regular Session, 2013

Amendment Form

DRAFT

Subtitle of Senate Bill No. 213

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH
APPROPRIATION FOR THE 2013-2014 FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 213

Amend Senate Bill No. 213 as originally introduced:

Insert an additional section immediately following SECTION 27 of the bill to read as follows:

" SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL RATES OF PAY AND EMPLOYMENT WORK DAYS. For current and new full-time employees employed at the Arkansas State Hospital in the classifications listed below, the Division of Behavioral Health Director shall implement salary adjustments to maintain equity between salaries for those employees and teachers with the equivalent level of certification and tenure employed by the Little Rock School District. A salary that meets the standards of the Little Rock School District salary grid for the equivalent certification and tenure but exceeds the maximum level of the classifications listed below, shall not be construed as exceeding the maximum authorized salary of the grade.

To achieve the salary adjustments, the Division of Behavioral Health is authorized to pay special rates of pay for classifications at the Arkansas State Hospital listed below:

<u>Classification</u>	<u>Title</u>	<u>Grade</u>
<u>E044C</u>	<u>Certified Bachelors Teacher</u>	<u>C117</u>
<u>E035C</u>	<u>Certified Masters Teacher</u>	<u>C119</u>

Funding for the minimum compensation provided for in this section that is supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Merit Adjustment Fund to the proper fund or fund account and in such amounts as determined by the Chief Fiscal Officer of the State. The Division of Behavioral Health shall in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Merit Adjustment Fund, make available any funding generated from agency salary savings for such purposes from the funds or fund accounts as provided by law.

For current and new full-time employees at the Arkansas State Hospital in the classifications listed above, the Division of Behavioral Health

DRAFT

RAR001 - 03-05-2013 14:50:59

Page 1 of 2

Director shall set the number of work days for the employment year to maintain equity between those employees and teachers with the equivalent level of certification and tenure employed by the Little Rock School District. Sick days, personal days, or holidays of the Arkansas State Hospital employees whose salaries are adjusted under this section shall be earned in the same manner as teachers with equivalent certification and tenure employed by the Little Rock School District.

Accrued annual and holiday leave, up to 240 hours, as of June 30, 2013, will be paid out to employees affected by this section. Any additional accrued annual and holiday leave will be forfeited. Accrued sick leave, as of June 30, 2013, shall be retained on file and shall be used until it has been exhausted.

All employees affected by this section shall be eligible to receive hazardous duty pay for time worked in eligible areas.

The provisions of this section shall be in effect only from July 1, 2013 through June 30, 2014.”

AND

Appropriately renumber the SECTION numbers of the bill.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator <NA>

By: Representative Nickels

RAR/TAR - 03-05-2013 14:50:59

RAR001

Secretary

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013

A Bill

SENATE BILL 213

4
5 By: Joint Budget Committee

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - DIVISION OF BEHAVIORAL HEALTH FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER
12 PURPOSES.

Subtitle

16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - DIVISION OF BEHAVIORAL HEALTH
18 APPROPRIATION FOR THE 2013-2014 FISCAL
19 YEAR.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
25 for the Department of Human Services - Division of Behavioral Health for the
26 2013-2014 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
32	(1) L005N	PSYCHIATRIC SPECIALIST	2	GRADE N919
33	(2) N182N	ASH CHIEF OPERATING OFFICER	1	GRADE N918
34	(3) L009N	DHS BEHAV HLTH GENERAL PHYSICIAN	6	GRADE N917
35	(4) L011N	DENTIST	1	GRADE N916
36	(5) L014N	DIRECTOR OF PHARMACY	1	GRADE N914



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 2 BEHAVIORAL HEALTH SERVICES - PROCEEDS FOR SALES OF TIMBER AND HAY - CAPITAL
 3 IMPROVEMENTS AND EQUIPMENT. The Division of Behavioral Health Services is
 4 authorized to use administrative operating account for capital improvements
 5 to the physical plant, and for the purchase of capital equipment, and for the
 6 operation of the Arkansas Health Center, operated by the Department of Human
 7 Services, Division of Behavioral Health Services. The funds shall be held by
 8 the Department of Human Services, Division of Behavioral Health Services,
 9 from the proceeds of the sale of timber and hay that may be harvested from
 10 land owned by the Division of Behavioral Health Services. All funds deposited
 11 and all expenses shall be tracked separately. The harvesting of timber and
 12 hay is specifically authorized to provide funds to finance capital
 13 improvements to the physical plant, for the purchase of major capital
 14 equipment, and for the operation of the Arkansas Health Center. The Division
 15 of Behavioral Health Services shall report all income derived from the sale
 16 of timber and hay to the Chief Fiscal Officer of the State and the
 17 Legislative Council. Any contracts initiated for the harvesting of timber and
 18 hay shall be submitted to the Review Subcommittee of the Arkansas Legislative
 19 Council for prior review. All expenditures of funds derived from the sale of
 20 timber and hay will be expended in accordance with relevant state purchasing
 21 laws.

22 The provisions of this section shall be in effect only from July 1, ~~2012~~
 23 2013 through June 30, ~~2013~~ 2014.

24
 25 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE
 27 MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount
 28 appropriated for Acute Mental Health Services - Per Capita, two hundred fifty
 29 thousand dollars (\$250,000) for the fiscal year ending June 30, ~~2013~~ 2014
 30 shall first be allocated and made available to the Little Rock Community
 31 Mental Health Center for Acute Mental Health Services. The remaining balance
 32 appropriated for the fiscal year shall be allocated and made available to the
 33 community mental health centers within community-based settings on a per-
 34 capita basis.

35

36 SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

ARKANSAS SENATE

89th General Assembly - Regular Session, 2013

Amendment Form

DRAFT

Subtitle of Senate Bill No. 233

AN ACT FOR THE DEPARTMENT OF EDUCATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS
APPROPRIATION FOR THE 2013-2014 FISCAL YEAR.

Amendment No. ____ to Senate Bill No. 233

Amend Senate Bill No. 233 as engrossed, S3/25/13 (version: 03/25/2013 03:31:18 PM)

Page 12, delete line 31 delete "FUNDING RESTRICTIONS" and substitute "PROVISIONS."

AND

Page 12, line 32, immediately before "Regardless" insert the following:

"(a)"

AND

Page 13, line 2, insert the following:

" (b) As of school year 2012-13, the State Board of Education has approved a maximum enrollment of 500 for the open-enrollment public virtual charter school.

(c) Beginning in school year 2013-14 and thereafter, for an open-enrollment public charter granted to a virtual school, the school shall be allowed to enroll an eligible student in any grade, kindergarten through grade twelve (12), up to a total school enrollment of three thousand (3,000) students.

(d) Students that become enrolled in the two thousand five hundred (2,500) additional slots authorized by subsection (c) of this Section must be enrolled in an Arkansas public school for the first three quarters of the prior school year."

DRAFT

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Key

LEB/LEB - 03-26-2013 15:02:22

LEB097

Secretary

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: S2/14/13 S3/12/13 S3/25/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

SENATE BILL 233

4

5 By: Joint Budget Committee

6

7

For An Act To Be Entitled

8

AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO

9

LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE

10

DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING

11

JUNE 30, 2014; AND FOR OTHER PURPOSES.

12

13

14

Subtitle

15

AN ACT FOR THE DEPARTMENT OF EDUCATION -

16

GRANTS AND AID TO LOCAL SCHOOL DISTRICTS

17

APPROPRIATION FOR THE 2013-2014 FISCAL

18

YEAR.

19

20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

22

23 SECTION 1. APPROPRIATION. There is hereby appropriated, to the
24 Department of Education, to be payable from the Department of Education
25 Public School Fund Account, for grants and aid to local school districts and
26 special programs of the Department of Education for the fiscal year ending
27 June 30, 2014, the following:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2013-2014</u>
31	(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	\$34,500,000
32	(02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	
33	HEALTH INSURANCE	15,000,000
34	(03) ADVANCED PLACEMENT INCENTIVE	825,000
35	(04) ALTERNATIVE LEARNING	23,318,012
36	(05) ARKANSAS EASTER SEALS	193,113



1 approved by at least a majority of the teachers in the school, schools, or
2 school district participating in the program.

3 The provisions of this section shall be in effect only from July 1, ~~2012~~
4 2013 through June 30, ~~2013~~ 2014.

5
6 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional
9 Development Funding, four million dollars (\$4,000,000) may be authorized by
10 the Commissioner of the Department of Education to be used by the Department
11 of Education to develop and implement statewide professional development
12 support systems for teachers that will benefit student achievement.

13 The provisions of this section shall be in effect only from July 1, ~~2012~~
14 2013 through June 30, ~~2013~~ 2014.

15
16 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

18 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
19 Districts shall pay the teacher retirement employer contribution rate for any
20 eligible employee in accordance with rules and regulations established by the
21 Teacher Retirement Board of Directors. The appropriation contained herein for
22 Teacher Retirement Matching each fiscal year shall be used to provide the
23 employer matching for employees of the Cooperative Education Services Areas,
24 Vocational Centers, Arkansas Easter Seals and the school operated by the
25 Department of Correction.

26 The provisions of this section shall be in effect only from July 1, ~~2012~~
27 2013 through June 30, ~~2013~~ 2014.

28
29 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OPEN-
31 ENROLLMENT VIRTUAL CHARTER SCHOOL FUNDING RESTRICTIONS.

32 Regardless of any provision of law to the contrary, no school district
33 shall receive state funding for the ~~2012-2013~~ 2013-2014 school year for those
34 students who are included in the district's average daily membership for the
35 previous school year but who are attending any open-enrollment charter school
36 that uses internet, long-distance, or virtual technology as the primary

1 method of teaching.

→ 2 The provisions of this section shall be in effect only from July 1, ~~2012~~
3 2013 through June 30, ~~2013~~ 2014.

4

5 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER
7 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
8 authorized to expend a maximum of two percent (2%) of available funds for
9 administration of the Better Chance Program. Up to 1.8% of available funds
10 shall be used to administer the program and to monitor program grantees to
11 ensure compliance with programmatic standards. Prior to the utilization of
12 the remaining 0.2% of available funds, the Department of Education shall seek
13 prior review and approval of the Arkansas Legislative Council or Joint Budget
14 Committee by providing a written request to include the following: a) the
15 Department's reason(s) for the use of the funds and b) the amount of funds
16 that will be expended. The Department may contract with the Division of Child
17 Care and Early Childhood Education to administer the program.

18 Determining the maximum number of employees and the maximum amount of
19 appropriation and general revenue funding for a state agency each fiscal year
20 is the prerogative of the General Assembly. This is usually accomplished by
21 delineating such maximums in the appropriation act(s) for a state agency and
22 the general revenue allocations authorized for each fund and fund account by
23 amendment to the Revenue Stabilization law. Therefore, it is both necessary
24 and appropriate that the General Assembly maintain oversight by requiring
25 prior approval of the Legislative Council or Joint Budget Committee as
26 provided by this section. The requirement of approval by the Legislative
27 Council or Joint Budget Committee is not a severable part of this section.
28 If the requirement of approval by the Legislative Council or Joint Budget
29 Committee is ruled unconstitutional by a court of competent jurisdiction,
30 this entire section is void.

31 The provisions of this section shall be in effect only from July 1, ~~2012~~
32 2013 through June 30, ~~2013~~ 2014.

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34 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
36 TEACHER SALARY. The Arkansas Department of Education is requested to