

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

395

By: Senator Bookout

For An Act To Be Entitled

"AN ACT TO AMEND TITLE 12, CHAPTER 29, SUBCHAPTER 3 OF THE ARKANSAS CODE OF 1987 TO CLARIFY THAT INCOME FROM OPERATIONS AT THE DEPARTMENT OF CORRECTION MAY BE USED IN THE OPERATION OF SCHOOLS AT THE DEPARTMENT; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 12-29-304(a) is hereby amended to read as follows:

"(a) The cost of implementing and operating the school program in the district authorized by this subchapter shall be borne by the state and shall be paid from funds appropriated by the General Assembly from the general revenues of the state to the Department of Correction and the Department of Education, together with any federal funds that may be available for that purpose and from any funds generated from the operations of the Department of Correction in the following manner:

(1) The cost of facilities, equipment, and current operation in excess of the amount of grants and aids received from the Department of Education shall be borne by the Department of Correction;

(2) (A) The Department of Correction School District, as other school districts in the state, shall share in the distribution of grants and aids from the Department of Education.

(B) In no case, however, shall the Minimum Foundation Program Aid funds to this district be in excess of the sixty-five percent (65%) of the average table rate as defined by the Minimum Foundation Program Aid formula multiplied by the average daily membership and the special education add-on of the school district."

SECTION 2. All provisions of this act of a general and permanent nature

are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 4. It is hereby found and determined by the General Assembly that confusion has arisen concerning the funding of the public school program operated in the Department of Correction; that it is necessary to clarify that funds generated from various programs within the department may be utilized in support of the public school district within the department; and that the immediate passage of this act is necessary to resolve the uncertainty surrounding this issue. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.