

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL

4 **By: Representatives Dawson and Smith**

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For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT THE STATE OF ARKANSAS RECOGNIZES
9 AND ACCEPTS RESPONSIBILITY FOR A PORTION OF THE COSTS
10 INCURRED AND TO BE INCURRED BY THE FAIRVIEW-CAMDEN SCHOOL
11 DISTRICT AS A RESULT OF ANY COURT ORDERED DESEGREGATION OR
12 NEGOTIATED SETTLEMENT OF THE PENDING LITIGATION INVOLVING
13 THE DISTRICT; AND FOR OTHER PURPOSES."

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

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17 SECTION 1. It is hereby found and determined by the General Assembly
18 that the state of Arkansas has the primary responsibility for providing a
19 system of free public education for the young people of the state; that this
20 responsibility includes the operation of free public schools in conformity
21 with the Constitution and laws of the United States and the state of Arkansas;
22 that the Fairview-Camden district is currently involved in desegregation
23 litigation which is pending in federal court; that the district has incurred
24 and will continue to incur substantial monetary costs in complying with the
25 court ordered desegregation or negotiated settlement of that litigation; that
26 an Arkansas precedent was set when the federal court held the state of
27 Arkansas responsible for bearing a substantial portion of the cost of
28 compliance with the federal court desegregation order for the Little Rock,
29 North Little Rock and Pulaski County school districts; that the state has
30 conceded this responsibility and has in fact paid a substantial portion of
31 that cost.

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33 SECTION 2. The General Assembly hereby recognizes the responsibility of
34 the state of Arkansas to bear a substantial part of the cost which has and
35 will hereafter be incurred by the Fairview-Camden school district in complying

1 with federal court ordered desegregation or negotiated settlement of the
2 pending litigation, including the cost of transportation, facilities,
3 construction, compensatory education and textbooks as well as other costs of
4 complying with a court order or carrying out a negotiated settlement. The
5 General Assembly further recognizes and concedes the responsibility of the
6 General Assembly to appropriate funds to pay the state's fair share of the
7 costs of compliance with court ordered desegregation or a negotiated
8 settlement of the litigation involving the Fairview-Camden school district and
9 hereby expresses its intent to appropriate such funds at the proper time.

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11 SECTION 3. All provisions of this act of a general and permanent nature
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 4. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.

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21 SECTION 5. All laws and parts of laws in conflict with this act are
22 hereby repealed.

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