

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1245

4
5 By: Representative Thicksten
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For An Act To Be Entitled

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9 "AN ACT TO AMEND SUBSECTION (B) OF SECTION 19 OF ACT 1194
10 OF 1995, TO AUTHORIZE THE STATE TREASURER TO DEDUCT
11 CERTIFIED EXPENSES BY THE DEPARTMENT OF EDUCATION UNDER
12 THE 'PULASKI COUNTY SCHOOL DESEGREGATION SETTLEMENT
13 AGREEMENT' FROM THE NET GENERAL REVENUES AND TRANSFER SUCH
14 AMOUNT TO THE PUBLIC SCHOOL FUND; TO DECLARE AN EMERGENCY;
15 AND FOR OTHER PURPOSES."
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Subtitle

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18 "TO AUTHORIZE THE STATE TREASURER TO
19 DEDUCT FROM THE NET GENERAL REVENUES
20 CERTIFIED EXPENSES UNDER THE 'PULASKI
21 COUNTY SCHOOL DESEGREGATION SETTLEMENT
22 AGREEMENT' AND TRANSFER SUCH AMOUNT TO
23 THE PUBLIC SCHOOL FUND."
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Subsection (B) of uncodified Section 19 of Act 1194 of 1995
28 is hereby amended to read as follows:

29 "(B) For the fiscal year ending June 30, 1997, the Department of
30 Education shall from time to time as needed, certify to the State Treasurer
31 and the Chief Fiscal Officer of the State, the amount of funds disbursed for
32 desegregation expenses under the 'Pulaski County School Desegregation
33 Settlement Agreement'. Upon the receipt of such certification, the State
34 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
35 202(b)(2)(B), shall also deduct up to, but not to exceed in total for fiscal
36 year 1996-97, the sum of \$21,400,000 the total amount of such funds certified

1 from the net general revenues and transfer this amount to the Public School
 2 Fund."

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4 SECTION 2. All provisions of this act of a general and permanent nature
 5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 6 Revision Commission shall incorporate the same in the Code.

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8 SECTION 3. If any provision of this act or the application thereof to
 9 any person or circumstance is held invalid, such invalidity shall not affect
 10 other provisions or applications of the act which can be given effect without
 11 the invalid provision or application, and to this end the provisions of this
 12 act are declared to be severable.

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14 SECTION 4. All laws and parts of laws in conflict with this act are
 15 hereby repealed.

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17 SECTION 5. EMERGENCY. It is found and determined by the General
 18 Assembly, that the transfer and disbursement of funds authorized by this Act
 19 are necessary for the State of Arkansas to meet its obligation under the
 20 'Pulaski County School Desegregation Settlement Agreement'; and that the
 21 amount of funds certified to the State Treasurer and Chief Fiscal Officer of
 22 the State by the Department of Education as disbursed for desegregation
 23 expenses under the aforementioned agreement is expected to exceed the maximum
 24 amount authorized by law during the fiscal year ending June 30, 1997, to be
 25 deducted from the net general revenues and transferred to the Public School
 26 Fund; and that the provisions of this Act will provide the necessary monies
 27 for the Department of Education to pay such expenses without putting into
 28 jeopardy the distribution of funds to all of the state's school districts
 29 through the Arkansas Equitable School Finance System Act of 1995; and that a
 30 delay in the effective date of this Act could work irreparable harm upon the
 31 proper administration and provision of essential government programs.
 32 Therefore an emergency is declared to exist and this Act being necessary for
 33 the immediate preservation of the public peace, health and safety shall be in
 34 full force and effect from and after the date of its approval by the Governor.
 35 If the bill is neither approved nor vetoed by the Governor, it shall become
 36 effective on the expiration of the period of time during which the Governor

1 may veto the bill. If the bill is vetoed by the Governor and the veto is
2 overridden, it shall become effective on the date the last house overrides the
3 veto.

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