

1 State of Arkansas  
2 85th General Assembly  
3 First Extraordinary Session, 2006  
4

Call Item 13

# A Bill

HOUSE BILL 1042

5 By: Representative Dangeau  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR CONTINUED  
10 EXPANSION OF THE ARKANSAS BETTER CHANCE FOR  
11 SCHOOL SUCCESS PROGRAM BEYOND THE SERVICES  
12 PROVIDED FOR DURING THE REGULAR SESSION OF 2005  
13 BY THE 85TH GENERAL ASSEMBLY FOR THE DEPARTMENT  
14 OF EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE  
15 30, 2007; AND FOR OTHER PURPOSES.  
16

## Subtitle

17  
18 AN ACT FOR THE DEPARTMENT OF EDUCATION  
19 - CONTINUED EXPANSION OF THE ARKANSAS  
20 BETTER CHANCE FOR SCHOOL SUCCESS PROGRAM  
21 APPROPRIATION FOR THE 2005-2007  
22 BIENNIUM.  
23  
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25  
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. APPROPRIATION - ARKANSAS BETTER CHANCE FOR SCHOOL SUCCESS  
29 PROGRAM. There is hereby appropriated, to the Department of Education, to be  
30 payable from the Department of Education Public School Fund Account, for  
31 continued expansion of the Arkansas Better Chance for School Success Program  
32 beyond the services provided for during the Regular Session of 2005 by the  
33 85th General Assembly of the Department of Education for the biennial period  
34 ending June 30, 2007, the following:  
35

36 ITEM

FISCAL YEARS



1	NO.	2005-2006	2006-2007
2	(01) CONTINUED EXPANSION OF THE ARKANSAS		
3	BETTER CHANCE FOR SCHOOL SUCCESS		
4	PROGRAM	\$ <u>0</u>	\$ <u>20,000,000</u>

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6 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
 8 FORWARD. Any unexpended funds allocated for the Arkansas Better Chance for  
 9 School Success Program remaining on June 30, 2007, in the Department of  
 10 Education Public School Fund Account shall be designated and retained for the  
 11 Arkansas Better Chance for School Success Program.

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13 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
 15 BETTER CHANCE FOR SCHOOL SUCCESS PROGRAM FUND TRANSFERS AUTHORIZED.

16 (a) On July 1, 2006, the Chief Fiscal Officer of the State shall transfer  
 17 twenty million dollars (\$20,000,000), or so much thereof as is available,  
 18 from the unobligated balances in the General Improvement Fund to the  
 19 Department of Education Public School Fund Account, there to be used for the  
 20 continued expansion of the Arkansas Better Chance for School Success Program.  
 21 If sufficient funds are not available from the unobligated balances of the  
 22 General Improvement Fund to provide for the full amount of twenty million  
 23 dollars (\$20,000,000), the Chief Fiscal Officer of the State shall then  
 24 transfer to the Department of Education Public School Fund Account, an amount  
 25 of funds from the General Revenue Allotment Reserve Fund, which when added to  
 26 the transfer from the General Improvement Fund equals twenty million dollars  
 27 (\$20,000,000).

28 (b) The amounts transferred under this section shall be used only for the  
 29 purpose of providing state financial participation for the Arkansas Better  
 30 Chance for School Success Program as established in ACA § 6-45-105(B).

31 The provisions of this section shall be in effect only from July 1, 2005  
 32 through June 30, 2007.

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34 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PURPOSE  
 36 FOR ARKANSAS BETTER CHANCE FOR SCHOOL SUCCESS FUNDING. The fund transfer

1 provided by this Act is intended to be used for the purpose of continuing the  
 2 planned incremental increase of twenty million (\$20,000,000) per year for the  
 3 Arkansas Better Chance for School Success Program which achieves greater  
 4 accessibility to the program for eligible pre-school students.

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 6 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 7 by this act shall be limited to the appropriation for such agency and funds  
 8 made available by law for the support of such appropriations; and the  
 9 restrictions of the State Procurement Law, the General Accounting and  
 10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 11 Procedures and Restrictions Act, or their successors, and other fiscal  
 12 control laws of this State, where applicable, and regulations promulgated by  
 13 the Department of Finance and Administration, as authorized by law, shall be  
 14 strictly complied with in disbursement of said funds.

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 16 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 17 that any funds disbursed under the authority of the appropriations contained  
 18 in this act shall be in compliance with the stated reasons for which this act  
 19 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 20 and Legislative Recommendations contained in the budget manuals prepared by  
 21 the Department of Finance and Administration, letters, or summarized oral  
 22 testimony in the official minutes of the Arkansas Legislative Council or  
 23 Joint Budget Committee which relate to its passage and adoption.

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 25 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
 26 Assembly, that the Constitution of the State of Arkansas prohibits the  
 27 appropriation of funds for more than a two (2) year period; that the  
 28 effectiveness of this Act on the date of its passage and approval is  
 29 essential to the operation of the agency for which the appropriations in this  
 30 Act are provided, and that in the event of an extension of the First  
 31 Extraordinary Session, the delay in the effective date of this Act beyond the  
 32 date of its passage and approval could work irreparable harm upon the proper  
 33 administration and provision of essential governmental programs. Therefore,  
 34 an emergency is hereby declared to exist and this Act being necessary for the  
 35 immediate preservation of the public peace, health and safety shall be in  
 36 full force and effect from and after the date of its passage and approval.

1 If the bill is neither approved nor vetoed by the Governor, it shall become  
2 effective on the expiration of the period of time during which the Governor  
3 may veto the bill. If the bill is vetoed by the Governor and the veto is  
4 overridden, it shall become effective on the date the last house overrides  
5 the veto.

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