

State of Arkansas  
87th General Assembly  
Regular Session, 2009

# A Bill

HOUSE BILL 1747

By: Representative Breedlove

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND  
AID TO LOCAL SCHOOL DISTRICTS FOR A MISCELLANEOUS  
FUNDS ADJUSTMENT FOR THE DEPARTMENT OF EDUCATION  
FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR  
OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION -  
GRANTS AND AID TO LOCAL SCHOOL DISTRICTS  
MISCELLANEOUS FUNDS ADJUSTMENT  
APPROPRIATION FOR THE 2009-2010 FISCAL  
YEAR.

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

SECTION 1. APPROPRIATION - MISCELLANEOUS FUNDS ADJUSTMENT. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for grants and aid to local school districts to provide a miscellaneous funds adjustment by the Department of Education for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
NO.	2009-2010
(01) MISCELLANEOUS FUNDS ADJUSTMENT	\$ <u>3,500,000</u>



1       SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ONE-TIME  
3 SPECIAL ALLOCATION PROVISION - MISCELLANEOUS FUNDS ADJUSTMENT. The  
4 Department of Education shall use up to the three million five hundred  
5 thousand dollars (\$3,500,000) appropriated to the Department of Education in  
6 Section 1 of this act to restore to school districts an amount of foundation  
7 funding that was not received by school districts in FY2008-2009. The amount  
8 to be restored to a school district shall be calculated as the difference  
9 between the miscellaneous funds of the school district as defined by and  
10 determined according to Section 2 of Act 272 of 2007 for 2008-2009 and the  
11 actual miscellaneous funds collected by the school district for 2008-2009 and  
12 reported to the Department of Education by August 31, 2009. This one-time  
13 miscellaneous funds adjustment is necessary due to an unintended consequence  
14 of the implementation of the new definition of miscellaneous funds as enacted  
15 by Section 2 of Act 272 of 2007.

16  
17       SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
18 by this act shall be limited to the appropriation for such agency and funds  
19 made available by law for the support of such appropriations; and the  
20 restrictions of the State Procurement Law, the General Accounting and  
21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
22 Procedures and Restrictions Act, or their successors, and other fiscal  
23 control laws of this State, where applicable, and regulations promulgated by  
24 the Department of Finance and Administration, as authorized by law, shall be  
25 strictly complied with in disbursement of said funds.

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27       SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly  
28 that any funds disbursed under the authority of the appropriations contained  
29 in this act shall be in compliance with the stated reasons for which this act  
30 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
31 and Legislative Recommendations contained in the budget manuals prepared by  
32 the Department of Finance and Administration, letters, or summarized oral  
33 testimony in the official minutes of the Arkansas Legislative Council or  
34 Joint Budget Committee which relate to its passage and adoption.

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36       SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the  
2 appropriation of funds for more than a one (1) year period; that the  
3 effectiveness of this Act on July 1, 2009 is essential to the operation of  
4 the agency for which the appropriations in this Act are provided, and that in  
5 the event of an extension of the Regular Session, the delay in the effective  
6 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
7 proper administration and provision of essential governmental programs.  
8 Therefore, an emergency is hereby declared to exist and this Act being  
9 necessary for the immediate preservation of the public peace, health and  
10 safety shall be in full force and effect from and after July 1, 2009.