

Stricken language will be deleted and underlined language will be added.

State of Arkansas
89th General Assembly
First Extraordinary Session, 2013

A Bill

Call Item 6
SENATE BILL 3

By: Senator A. Clark

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID FOR LEGAL FEES AND COURT COSTS FOR QUALIFYING LOCAL SCHOOL DISTRICTS FOR THE DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION - GRANTS AND AID FOR LEGAL FEES AND COURT COSTS APPROPRIATION FOR THE 2013-2014 FISCAL YEAR.

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

SECTION 1. APPROPRIATION - LEGAL FEES AND COURT COSTS. 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 qualifying local school districts for legal fees and court costs associated with litigation pertaining to the Uniform Rate of Tax as used in the Foundation Funding calculation by the Department of Education for the fiscal year ending June 30, 2014, the sum of.....\$340,000.

SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RULES AND REGULATIONS - GRANTS FOR LEGAL FEES AND COURT COSTS. The Arkansas Department of Education may promulgate rules and regulations for the distribution of grants and aid to local school districts for legal fees and court costs



associated with litigation pertaining to the Uniform Rate of Tax as used in the Foundation Funding calculation and incurred prior to the effective date of this act.

The provisions of this section shall be in effect only through June 30, 2014.

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER - GRANTS FOR LEGAL FEES AND COURT COSTS. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of State the sum of three hundred forty thousand dollars (\$340,000) from the unobligated balances in the General Improvement Fund to the Department of Education Public School Fund Account to provide funds for grants and aid to qualifying local school districts for legal fees and court costs associated with litigation pertaining to the Uniform Rate of Tax as used in the Foundation Funding calculation and incurred prior to the effective date of this act. Prior to June 30, 2014, if there are any unobligated and unexpended balances of the funds transferred under this section, the unobligated and unexpended balances shall be transferred back to the unobligated balances in the General Improvement Fund.

The provisions of this section shall be in effect only through June 30, 2014.

SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations

contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on the date of its passage and approval is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond the date of its passage and approval could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval.

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