

1 State of Arkansas  
2 84th General Assembly  
3 Second Extraordinary Session, 2003  
4

Call Item 3

# A Bill

HOUSE BILL 1099

5 By: Representative Mahony  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
10 OF EDUCATION FOR A PILOT PROGRAM FOR A KNOWLEDGE  
11 AND SKILLS BASED PAY SYSTEM FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2005; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION  
16 - KNOWLEDGE AND SKILLS BASED PAY PILOT  
17 PROGRAM APPROPRIATION FOR THE 2003-2005  
18 BIENNIUM.  
19  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. APPROPRIATION - KNOWLEDGE AND SKILLS BASED PAY PILOT PROGRAM.  
26 There is hereby appropriated, to the Department of Education, to be payable  
27 from the Department of Education Public School Fund Account, for grants and  
28 aids to local school districts and special programs of the Department of  
29 Education for the biennial period ending June 30, 2005, the following:  
30

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) KNOWLEDGE AND SKILLS BASED PAY PILOT PROGRAM	\$ 2,200,000	\$ 4,200,000

36 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
 2 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal  
 3 Officer of the State shall transfer on his books and those of the State  
 4 Treasurer and the Auditor of the State the sum of six million four hundred  
 5 thousand dollars (\$6,400,000) from funds received from the Jobs and Growth  
 6 Tax Relief Reconciliation Act of 2003, Public Law 108-27, to the Department  
 7 of Education Public School Fund Account.

8  
 9 The provisions of this section shall be in effect only from July 1, 2003  
 10 through June 30, 2005.

11  
 12 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 13 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYFORWARD.  
 14 Any unexpended balance in the appropriations authorized for the Knowledge and  
 15 Skills Based Pay Pilot Program which remain at the close of the fiscal year  
 16 ending June 30, 2004 shall be carried forward and made available for the same  
 17 purpose for the fiscal year ending June 30, 2005.

18  
 19 The provisions of this section shall be in effect only from July 1, 2003  
 20 through June 30, 2005.

21  
 22 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 23 by this act shall be limited to the appropriation for such agency and funds  
 24 made available by law for the support of such appropriations; and the  
 25 restrictions of the State Purchasing Law, the General Accounting and  
 26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 27 Procedures and Restrictions Act, or their successors, and other fiscal  
 28 control laws of this State, where applicable, and regulations promulgated by  
 29 the Department of Finance and Administration, as authorized by law, shall be  
 30 strictly complied with in disbursement of said funds.

31  
 32 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 33 that any funds disbursed under the authority of the appropriations contained  
 34 in this act shall be in compliance with the stated reasons for which this act  
 35 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 36 and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral  
2 testimony in the official minutes of the Arkansas Legislative Council or  
3 Joint Budget Committee which relate to its passage and adoption.

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5 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly that the Constitution of the State of Arkansas requires the state to  
7 maintain a general, suitable, and efficient system of free public schools;  
8 that the Supreme Court of Arkansas issued an opinion in November 2002  
9 declaring the current school-funding system unconstitutional; that in order  
10 to implement a school-funding system that meets constitutional compliance,  
11 funds must be made available immediately to the Department of Education to  
12 provide assistance and support for schools; that this act is immediately  
13 necessary because the effectiveness of this Act on its passage and approval  
14 is essential to the operation of the agency for which the appropriations in  
15 this Act are provided, and that in the event of an extension of the Second  
16 Extraordinary Session of 2003, the delay in the effective date of this Act  
17 upon its passage and approval could work irreparable harm upon the proper  
18 administration and provision of essential governmental programs. Therefore,  
19 an emergency is declared to exist and this act being immediately necessary  
20 for the preservation of the public peace, health, and safety shall become  
21 effective on:

22 (1) The date of its approval by the Governor;

23 (2) If the bill is neither approved nor vetoed by the Governor, the  
24 expiration of the period of time during which the Governor may veto the bill;  
25 or

26 (3) If the bill is vetoed by the Governor and the veto is overridden,  
27 the date the last house overrides the veto.