

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

A Bill

HOUSE BILL 1040

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES AND FOR GRANTS AND AID TO
10 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE
11 DEPARTMENT OF CAREER EDUCATION FOR THE FISCAL YEAR
12 ENDING JUNE 30, 2017; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF CAREER
16 EDUCATION APPROPRIATION FOR THE 2016-2017
17 FISCAL YEAR.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Career Education for the 2016-2017 fiscal year, the following
25 maximum number of regular employees.
26

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
31	(1) U061U	ACE DIRECTOR	1	\$153,463
32	(2) U077U	ACE DEPUTY DIRECTOR CAREER & TECH ED	1	\$111,630
33	(3) U065U	ACE DEPUTY DIRECTOR	1	\$111,629
34	(4) E005N	DIR OF OFFICE OF SKILLS DEVELOPMENT	1	GRADE N910
35	(5) G010C	ACE DIVISION MANAGER	4	GRADE C128
36	(6) A031C	ASSISTANT CONTROLLER	1	GRADE C124



1	(7)	E061C	ACE PROGRAM COORDINATOR	16	GRADE C123
2	(8)	E062C	ACE PROGRAM ADVISOR	32	GRADE C122
3	(9)	R014C	PERSONNEL MANAGER	1	GRADE C121
4	(10)	R019C	BUDGET MANAGER	1	GRADE C120
5	(11)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
6	(12)	A060C	SENIOR AUDITOR	3	GRADE C119
7	(13)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
8	(14)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
9	(15)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
10	(16)	C037C	ADMINISTRATIVE ANALYST	3	GRADE C115
11	(17)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
12	(18)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
13	(19)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
14	(20)	C056C	ADMINISTRATIVE SPECIALIST III	7	GRADE C112
15	(21)	A098C	FISCAL SUPPORT SPECIALIST	3	GRADE C112
16	(22)	S050C	MAINTENANCE SPECIALIST	1	GRADE C112
17	(23)	C073C	ADMINISTRATIVE SPECIALIST II	<u>13</u>	GRADE C109
18			MAX. NO. OF EMPLOYEES	96	

19

20 SECTION 2. EXTRA HELP - VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

21 There is hereby authorized, for the Department of Career Education -
 22 Vocational, Technical and Adult Education for the 2016-2017 fiscal year, the
 23 following maximum number of part-time or temporary employees, to be known as
 24 "Extra Help", payable from funds appropriated herein for such purposes:
 25 sixty-nine (69) temporary or part-time employees, when needed, at rates of
 26 pay not to exceed those provided in the Uniform Classification and
 27 Compensation Act, or its successor, or this act for the appropriate
 28 classification.

29

30 SECTION 3. APPROPRIATION - VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

31 There is hereby appropriated, to the Department of Career Education, to be
 32 payable from the Department of Career Education Fund Account, for personal
 33 services and operating expenses of the Department of Career Education -
 34 Vocational, Technical and Adult Education for the fiscal year ending June 30,
 35 2017, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2016-2017</u>
3	(01) REGULAR SALARIES	\$3,064,359
4	(02) EXTRA HELP	13,541
5	(03) PERSONAL SERVICES MATCHING	966,657
6	(04) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	979,873
8	(B) CONF. & TRAVEL	36,251
9	(C) PROF. FEES	0
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	0
12	(05) APPRENTICESHIP PROGRAM	1,611,456
13	(06) MOTOR VEHICLE EDUCATION PROGRAM	<u>2,500</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$6,674,637</u></u>

15

16 SECTION 4. APPROPRIATION - ADULT BASIC EDUCATION. There is hereby
 17 appropriated, to the Department of Career Education, to be payable from the
 18 Department of Career Education Fund Account, for personal services and
 19 operating expenses of the Department of Career Education - Adult Basic
 20 Education for the fiscal year ending June 30, 2017, the following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2016-2017</u>
24	(01) REGULAR SALARIES	\$392,990
25	(02) PERSONAL SERVICES MATCHING	122,637
26	(03) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	24,507
28	(B) CONF. & TRAVEL	0
29	(C) PROF. FEES	0
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u><u>\$540,134</u></u>

33

34 SECTION 5. APPROPRIATION - HIGH-TECH SCHOLARSHIP AWARD PROGRAM. There
 35 is hereby appropriated, to the Department of Career Education, to be payable
 36 from the Department of Career Education Fund Account, for scholarships of the

1 Department of Career Education - High-Tech Scholarship Award Program for the
 2 fiscal year ending June 30, 2017, the following:

3

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2016-2017</u>
6 (01) SCHOLARSHIPS	<u>\$10,000</u>

7

8 SECTION 6. EXTRA HELP - FEDERAL VOCATIONAL, TECHNICAL AND ADULT
 9 EDUCATION. There is hereby authorized, for the Department of Career
 10 Education - Federal Vocational, Technical and Adult Education for the 2016-
 11 2017 fiscal year, the following maximum number of part-time or temporary
 12 employees, to be known as "Extra Help", payable from funds appropriated
 13 herein for such purposes: four (4) temporary or part-time employees, when
 14 needed, at rates of pay not to exceed those provided in the Uniform
 15 Classification and Compensation Act, or its successor, or this act for the
 16 appropriate classification.

17

18 SECTION 7. APPROPRIATION - FEDERAL VOCATIONAL, TECHNICAL AND ADULT
 19 EDUCATION. There is hereby appropriated, to the Department of Career
 20 Education, to be payable from the federal funds as designated by the Chief
 21 Fiscal Officer of the State, for personal services, operating expenses and
 22 grants by the Department of Career Education - Federal Vocational, Technical
 23 and Adult Education for the fiscal year ending June 30, 2017, the following:

24

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2016-2017</u>
27 (01) REGULAR SALARIES	\$908,515
28 (02) EXTRA HELP	14,305
29 (03) PERSONAL SERVICES MATCHING	310,152
30 (04) MAINT. & GEN. OPERATION	
31 (A) OPER. EXPENSE	1,673,381
32 (B) CONF. & TRAVEL	46,175
33 (C) PROF. FEES	100,000
34 (D) CAP. OUTLAY	0
35 (E) DATA PROC.	0
36 (05) VOCATIONAL EDUCATION GRANTS	<u>16,540,397</u>

1 TOTAL AMOUNT APPROPRIATED \$19,592,925

2

3 SECTION 8. APPROPRIATION - FEDERAL ADULT BASIC EDUCATION. There is
 4 hereby appropriated, to the Department of Career Education, to be payable
 5 from the federal funds as designated by the Chief Fiscal Officer of the
 6 State, for personal services, operating expenses and grants by the Department
 7 of Career Education - Federal Adult Basic Education for the fiscal year
 8 ending June 30, 2017, the following:

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10 ITEM	FISCAL YEAR
11 NO.	2016-2017
12 (01) REGULAR SALARIES	\$76,472
13 (02) PERSONAL SERVICES MATCHING	27,624
14 (03) MAINT. & GEN. OPERATION	
15 (A) OPER. EXPENSE	77,467
16 (B) CONF. & TRAVEL	25,200
17 (C) PROF. FEES	9,000
18 (D) CAP. OUTLAY	0
19 (E) DATA PROC.	0
20 (04) ADULT BASIC EDUCATION GRANTS	<u>8,076,279</u>
21 TOTAL AMOUNT APPROPRIATED	<u>\$8,292,042</u>

22

23 SECTION 9. APPROPRIATION - FEDERAL VETERANS APPROVING AGENCY. There is
 24 hereby appropriated, to the Department of Career Education, to be payable
 25 from the federal funds as designated by the Chief Fiscal Officer of the
 26 State, for personal services and operating expenses of the Department of
 27 Career Education - Federal Veterans Approving Agency for the fiscal year
 28 ending June 30, 2017, the following:

29

30 ITEM	FISCAL YEAR
31 NO.	2016-2017
32 (01) REGULAR SALARIES	\$183,035
33 (02) PERSONAL SERVICES MATCHING	60,355
34 (03) MAINT. & GEN. OPERATION	
35 (A) OPER. EXPENSE	53,546
36 (B) CONF. & TRAVEL	9,623

1	(C) PROF. FEES	600
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$307,159</u></u>

5

6 SECTION 10. APPROPRIATION - FEDERAL EQUIPMENT AND TRAINING. There is

7 hereby appropriated, to the Department of Career Education, to be payable

8 from the federal funds as designated by the Chief Fiscal Officer of the

9 State, for operating expenses of the Department of Career Education - Federal

10 Equipment and Training for the fiscal year ending June 30, 2017, the

11 following:

12		
13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2016-2017</u>
15	(01) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	\$14,800
17	(B) CONF. & TRAVEL	0
18	(C) PROF. FEES	0
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u><u>\$14,800</u></u>

22

23 SECTION 11. APPROPRIATION - CONSTRUCTION INDUSTRY CRAFT TRAINING

24 PROGRAM. There is hereby appropriated, to the Department of Career

25 Education, to be payable from the Arkansas Construction Industry Craft

26 Training Trust Fund, for personal services, operating expenses and grants by

27 the Department of Career Education - Construction Industry Craft Training

28 Program for the fiscal year ending June 30, 2017, the following:

29		
30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2016-2017</u>
32	(01) REGULAR SALARIES	\$49,971
33	(02) PERSONAL SERVICES MATCHING	16,014
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	12,000
36	(B) CONF. & TRAVEL	7,500

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	0
4	(04) GRANTS TO CONSTRUCTION INDUSTRY CRAFT	
5	TRAINING PROGRAM	<u>800,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$885,485</u></u>

7

8 SECTION 12. APPROPRIATION - ALTERNATIVE RETIREMENT PROGRAM - CASH.

9 There is hereby appropriated, to the Department of Career Education, to be
10 payable from cash funds as defined by Arkansas Code 19-4-801 of the
11 Department of Career Education, for personal services and operating expenses
12 of the Department of Career Education - Alternative Retirement Program - Cash
13 for the fiscal year ending June 30, 2017, the following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2016-2017</u>
17	(01) PERSONAL SERVICES MATCHING	\$110,222
18	(02) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	12,300
20	(B) CONF. & TRAVEL	0
21	(C) PROF. FEES	0
22	(D) CAP. OUTLAY	0
23	(E) DATA PROC.	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	<u><u>\$122,522</u></u>

25

26 SECTION 13. APPROPRIATION - HOUSING CONSTRUCTION PROGRAM. There is
27 hereby appropriated, to the Department of Career Education, to be payable
28 from the Building Trades Revolving Fund, for loans to Secondary Area
29 Technical Centers or other eligible entities, for the purchase of building
30 materials, supplies, and fixtures to be used in the construction of a single
31 family dwelling unit or other non-residential building project through the
32 Housing Construction Program of the Department of Career Education for the
33 fiscal year ending June 30, 2017, the following:

34

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2016-2017</u>

1 (01) LOANS \$329,613

2

3 SECTION 14. APPROPRIATION - LAW ENFORCEMENT SAFETY OFFICE - CASH.

4 There is hereby appropriated, to the Department of Career Education, to be
 5 payable from the cash fund deposited in the State Treasury as determined by
 6 the Chief Fiscal Officer of the State, for operating expenses of the
 7 Department of Career Education - Law Enforcement Safety Office - Cash for the
 8 fiscal year ending June 30, 2017, the following:

9

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2016-2017</u>
12 (01) LAW ENFORCEMENT SAFETY PROGRAM	<u>\$75,000</u>

13

14 SECTION 15. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY.

15 There is hereby appropriated, to the Department of Career Education, to be
 16 payable from the Department of Career Education Public School Fund Account,
 17 for personal services, operating expenses, and grants by the Department of
 18 Career Education - Governor's Commission on Adult Literacy for the fiscal
 19 year ending June 30, 2017, the following:

20

21 ITEM	FISCAL YEAR
22 <u>NO.</u>	<u>2016-2017</u>
23 (01) REGULAR SALARIES	\$26,410
24 (02) PERSONAL SERVICES MATCHING	9,031
25 (03) MAINT. & GEN. OPERATION	
26 (A) OPER. EXPENSE	52,242
27 (B) CONF. & TRAVEL	6,005
28 (C) PROF. FEES	0
29 (D) CAP. OUTLAY	0
30 (E) DATA PROC.	0
31 (04) GRANTS TO LITERACY COUNCILS	<u>700,000</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$793,688</u>

33

34 SECTION 16. APPROPRIATION - ADULT BASIC AND GENERAL ADULT EDUCATION.

35 There is hereby appropriated, to the Department of Career Education, to be
 36 payable from the Department of Career Education Public School Fund Account,

1 for Adult Basic and General Adult Education grants and aid by the Department
 2 of Career Education for the fiscal year ending June 30, 2017, the following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2016-2017</u>
6 (01) ADULT BASIC & GENERAL ADULT EDUCATION	<u>\$19,860,569</u>

7
 8 SECTION 17. APPROPRIATION - COORDINATED CAREER EDUCATION SERVICES.

9 There is hereby appropriated, to the Department of Career Education, to be
 10 payable from the Department of Career Education Public School Fund Account,
 11 for Coordinated Career Education Services - Special Needs Students Program
 12 grants and aid by the Department of Career Education for the fiscal year
 13 ending June 30, 2017, the following:

15 ITEM	FISCAL YEAR
16 <u>NO.</u>	<u>2016-2017</u>
17 (01) COORDINATED CAREER EDUCATION	
18 SERVICES-SPECIAL NEEDS STUDENTS	
19 PROGRAM GRANTS & AID	<u>\$1,119,433</u>

20
 21 SECTION 18. APPROPRIATION - VOCATIONAL CENTER AID. There is hereby
 22 appropriated, to the Department of Career Education, to be payable from the
 23 Department of Career Education Public School Fund Account, for Vocational
 24 Center grants and aid by the Department of Career Education - Vocational
 25 Center Aid for the fiscal year ending June 30, 2017, the following:

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2016-2017</u>
29 (01) VOCATIONAL CENTER GRANTS AND AID	<u>\$20,436,383</u>

30
 31 SECTION 19. APPROPRIATION - VOCATIONAL START-UP GRANTS AND AID. There
 32 is hereby appropriated, to the Department of Career Education, to be payable
 33 from the Department of Career Education Public School Fund Account, for
 34 Vocational Start-Up grants and aid by the Department of Career Education for
 35 the fiscal year ending June 30, 2017, the following:

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2016-2017</u>
3	(01) VOCATIONAL START-UP GRANTS AND AID	<u>\$2,370,000</u>

4

5 SECTION 20. APPROPRIATION - GED TESTING. There is hereby appropriated,
 6 to the Department of Career Education, to be payable from the Department of
 7 Career Education Public School Fund Account, for the cost of individuals
 8 taking the General Educational Development (GED) test and official practice
 9 test for the fiscal year ending June 30, 2017, the following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2016-2017</u>
13	(01) GED TEST COSTS	<u>\$1,870,000</u>

14

15 SECTION 21. APPROPRIATION - CAREER COACHES PROGRAM. There is hereby
 16 appropriated, to the Department of Career Education, to be payable from the
 17 Department of Career Education Public School Fund Account, for personal
 18 services, operating expenses, and Career Coaches grants and aid by the
 19 Department of Career Education - Career Coaches Program for the fiscal year
 20 ending June 30, 2017, the following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2016-2017</u>
24	(01) REGULAR SALARIES	\$81,266
25	(02) PERSONAL SERVICES MATCHING	26,487
26	(03) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	50,000
28	(B) CONF. & TRAVEL	15,000
29	(C) PROF. FEES	0
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	0
32	(04) CAREER COACHES GRANTS AND AID	<u>800,000</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$972,753</u>

34

35 SECTION 22. APPROPRIATION - AR WORKS - SCHOOL DISTRICTS. There is
 36 hereby appropriated, to the Department of Career Education, to be payable

1 from the cash fund deposited in the State Treasury as determined by the Chief
 2 Fiscal Officer of the State, for grants to support the Arkansas Works
 3 Initiative career coach positions serving middle and high schools in twenty-
 4 one counties and the Little Rock school district for the fiscal year ending
 5 June 30, 2017, the following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2016-2017</u>
9 (01) ARKANSAS WORKS INITIATIVE GRANTS	<u>\$1,537,500</u>

10
 11 SECTION 23. APPROPRIATION - OFFICE OF SKILLS DEVELOPMENT. There is
 12 hereby appropriated, to the Department of Career Education, to be payable
 13 from the Skills Development Fund, for personal services, operating expenses
 14 and grants by the Department of Career Education - Office of Skills
 15 Development for the fiscal year ending June 30, 2017, the following:

17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2016-2017</u>
19 (01) REGULAR SALARIES	\$40,367
20 (02) PERSONAL SERVICES MATCHING	11,302
21 (03) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	165,000
23 (B) CONF. & TRAVEL	10,000
24 (C) PROF. FEES	0
25 (D) CAP. OUTLAY	200,000
26 (E) DATA PROC.	0
27 (04) INDUSTRY TRAINING PROGRAM	15,000,000
28 (05) WORKFORCE DEVELOPMENT GRANTS	4,500,000
29 (06) WORKFORCE IMPROVEMENT GRANTS	3,500,000
30 (07) CAREER COACHES EXPENSES	9,000,000
31 (08) INDUSTRY CERTIFICATION TESTING	<u>100,000</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$32,526,669</u>

33
 34 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL
 36 MATCHING. The funds appropriated in Sections for Adult Basic and General

1 Adult Education, Coordinated Career Education Services, Vocational Center Aid
2 and Vocational Start-up Grants and Aid of this Act may also be used to match
3 any available federal funds from any agency in order to provide the maximum
4 amount of money possible for the purposes enumerated in such Section.

5 The provisions of this section shall be in effect only from July 1, ~~2015~~
6 2016 through June 30, ~~2016~~ 2017.

7
8 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 VOCATIONAL START-UP. The funds and appropriations contained herein for
11 Vocational Start-Up shall be allocated in accordance with rules ~~and~~
12 ~~regulations~~ established by the Career Education and Workforce Development
13 Board, after the rules ~~and regulations~~ have undergone a ~~prior~~ review and
14 approval by the ~~Administrative Rules and Regulations Subcommittee of the~~
15 Arkansas Legislative Council or Joint Budget Committee under § 10-3-309.

16 The provisions of this section shall be in effect only from July 1, ~~2015~~
17 2016 through June 30, ~~2016~~ 2017.

18
19 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 EDUCATIONAL TRAINING/RETRAINING. Of the funds and appropriation authorized by
22 Item (01) in the Section of this Act for Adult Basic and General Adult
23 Education, a sum of \$300,000 each fiscal year shall be made available to
24 eligible entities approved by the Career Education and Workforce Development
25 Board, in order to expand the vocational education and training opportunities
26 available to area citizens in need of adult educational training or
27 retraining due to changing technology.

28 Further, if the appropriation is not fully funded due to a decrease in
29 the official revenue forecast or the available carryover balance of the
30 Department of Career Education Public School Fund Account, the Department of
31 Career Education may reduce proportionally the amount made available to
32 eligible entities approved by the Career Education and Workforce Development
33 Board in order to expand the vocational education and training opportunities
34 to area citizens in need of adult educational training or retraining due to
35 changing technology.

36 The provisions of this section shall be in effect only from July 1, ~~2015~~

1 2016 through June 30, ~~2016~~ 2017.

2
3 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT
5 EDUCATION DISTRIBUTION. All funds that become available for Adult Education
6 shall be distributed to those administrative units determined to be operating
7 efficient and effective adult education programs, under criteria established
8 by the Career Education and Workforce Development Board. The criteria shall
9 include the relative efficiency of administration of the program in the
10 counties served and achievement of federal performance indicators. The Career
11 Education and Workforce Development Board shall promulgate rules and
12 regulations for the distribution of funds in accordance with criteria to be
13 determined by the Board. In the distribution of funds to local units the
14 Board shall consider performance in meeting state and federal performance
15 indicators. Unallocated funds will be redistributed based upon need as
16 determined by the Career Education and Workforce Development Board.

17 The provisions of this section shall be in effect only from July 1, ~~2015~~
18 2016 through June 30, ~~2016~~ 2017.

19
20 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
22 OF FUNDS – PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall
23 establish, upon request from the Department of Career Education, a special
24 appropriation line item to be used in the acquisition of promotional items.
25 When the Department of Career Education wishes to transfer monies from its
26 operating expenses appropriation to the Promotional Items line, the Career
27 Education and Workforce Development Board shall approve the request and
28 forward it after receiving prior review and approval by the Arkansas
29 Legislative Council or Joint Budget Committee, to the Chief Fiscal Officer of
30 the State for processing.

31 Determining the maximum number of employees and the maximum amount of
32 appropriation and general revenue funding for a state agency each fiscal year
33 is the prerogative of the General Assembly. This is usually accomplished by
34 delineating such maximums in the appropriation act(s) for a state agency and
35 the general revenue allocations authorized for each fund and fund account by
36 amendment to the Revenue Stabilization law. Further, the General Assembly

1 has determined that the Department of Career Education may operate more
2 efficiently if some flexibility is provided to the Department of Career
3 Education authorizing broad powers under this Section. Therefore, it is both
4 necessary and appropriate that the General Assembly maintain oversight by
5 requiring prior approval of the Legislative Council or Joint Budget Committee
6 as provided by this section. The requirement of approval by the Legislative
7 Council or Joint Budget Committee is not a severable part of this section.
8 If the requirement of approval by the Legislative Council or Joint Budget
9 Committee is ruled unconstitutional by a court of competent jurisdiction,
10 this entire section is void.

11 The provisions of this section shall be in effect only from July 1, ~~2015~~
12 2016 through June 30, ~~2016~~ 2017.

13
14 SECTION 29. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
15 authorized by this act shall be limited to the appropriation for such agency
16 and funds made available by law for the support of such appropriations; and
17 the restrictions of the State Procurement Law, the General Accounting and
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
19 Procedures and Restrictions Act, or their successors, and other fiscal
20 control laws of this State, where applicable, and regulations promulgated by
21 the Department of Finance and Administration, as authorized by law, shall be
22 strictly complied with in disbursement of said funds.

23
24 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General
25 Assembly that any funds disbursed under the authority of the appropriations
26 contained in this act shall be in compliance with the stated reasons for
27 which this act was adopted, as evidenced by the Agency Requests, Executive
28 Recommendations and Legislative Recommendations contained in the budget
29 manuals prepared by the Department of Finance and Administration, letters, or
30 summarized oral testimony in the official minutes of the Arkansas Legislative
31 Council or Joint Budget Committee which relate to its passage and adoption.

32
33 SECTION 31. EMERGENCY CLAUSE. It is found and determined by the
34 General Assembly, that the Constitution of the State of Arkansas prohibits
35 the appropriation of funds for more than a one (1) year period; that the
36 effectiveness of this Act on July 1, 2016 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the legislative session, the delay in the
3 effective date of this Act beyond July 1, 2016 could work irreparable harm
4 upon the proper administration and provision of essential governmental
5 programs. Therefore, an emergency is hereby declared to exist and this Act
6 being necessary for the immediate preservation of the public peace, health
7 and safety shall be in full force and effect from and after July 1, 2016.

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