

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 2327

4  
5 By: Representative Dees  
6 By: Senator Gullett

## For An Act To Be Entitled

10 AN ACT TO PROVIDE THAT THE GOVERNOR DETERMINES  
11 THE COMPOSITION OF THE ARKANSAS WORKFORCE  
12 INVESTMENT BOARD; AND FOR OTHER PURPOSES.

## Subtitle

15 AN ACT TO PROVIDE THAT THE GOVERNOR  
16 DETERMINES THE COMPOSITION OF THE  
17 ARKANSAS WORKFORCE INVESTMENT BOARD.

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19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21  
22 SECTION 1. Arkansas Code § 15-4-2204 is amended to read as follows:

23 15-4-2204. Arkansas Workforce Investment Board established.

24 (a) There is created the Arkansas Workforce Investment Board.

25 (b) The board shall consist of members appointed by the Governor.

26 ~~(1) The Governor;~~

27 ~~(2) One (1) member of the House of Representatives to be~~  
28 ~~appointed by the Speaker of the House;~~

29 ~~(3) One (1) member of the Senate to be appointed by the~~  
30 ~~President Pro Tempore;~~

31 ~~(4) One (1) member shall be a member of the Women's Caucus of~~  
32 ~~the House of Representatives to be appointed by the chairperson of the~~  
33 ~~Women's Caucus;~~

34 ~~(5) One (1) member shall be a member of the Black Caucus of the~~  
35 ~~General Assembly to be appointed by the chairperson of the Black Caucus;~~

36 ~~(6) The following members to be appointed by the Governor,~~



1 ~~subject to confirmation by the Senate;~~

2 ~~(A) Representatives of business in Arkansas who:~~

3 ~~(i) Are owners of businesses, chief executive or~~  
4 ~~operating officers of businesses, and other business executives or employers~~  
5 ~~with policymaking or hiring authority, including members of the local~~  
6 ~~workforce investment boards;~~

7 ~~(ii) Represent businesses with employment~~  
8 ~~opportunities reflecting the employment opportunities of Arkansas;~~

9 ~~(iii) Are appointed from individuals nominated by~~  
10 ~~Arkansas business organizations and business trade associations; and~~

11 ~~(iv) At least one (1) of whom serves on a local~~  
12 ~~workforce investment board;~~

13 ~~(B) One chief elected official nominated by the Arkansas~~  
14 ~~Municipal League and one chief elected official nominated by the Association~~  
15 ~~of Arkansas Counties;~~

16 ~~(C) No less than three (3) representatives of labor~~  
17 ~~organizations who are to be nominated by the Arkansas labor federation;~~

18 ~~(D) No less than two (2) representatives of individuals~~  
19 ~~and organizations who have experience with respect to youth activities and~~  
20 ~~programs;~~

21 ~~(E) No less than three (3) representatives of individuals~~  
22 ~~and organizations who have experience and expertise in the delivery of~~  
23 ~~workforce investment activities of which at least one (1) person shall be a~~  
24 ~~chief executive officer of a two (2) year college nominated by the~~  
25 ~~Association of two year colleges, one (1) member shall be a director of an~~  
26 ~~agency responsible to a local work force investment board for administrative~~  
27 ~~workforce investment programs, nominated by the Career Development Network~~  
28 ~~Associations, and one (1) member representing community based organizations;~~  
29 ~~and~~

30 ~~(F) One (1) member who is a person with a disability who~~  
31 ~~is familiar with vocational rehabilitation and;~~

32 ~~(i) Represents an organization(s) of Arkansans with~~  
33 ~~disabilities or;~~

34 ~~(ii) Complies with subdivision (b)(6)(A) of this~~  
35 ~~section.~~

36 ~~(7) The Director of the Department of Workforce Education;~~

1           ~~(8) The Director of the Arkansas Employment Security Department;~~

2           ~~(9) The Director of the Department of Human Services;~~

3           ~~(10) The Director of the Arkansas Economic Development~~  
4 ~~Commission;~~

5           ~~(11) A representative of employment and training activities~~  
6 ~~carried out by the Department of Housing and Urban Development;~~

7           ~~(12) The Director of the Department of Higher Education; and~~

8           ~~(13) The Director of the Arkansas Rehabilitative Services.~~

9           ~~(c) In no event shall the board consist of more than forty-eight (48)~~  
10 ~~members. A person may serve in dual capacity as a member of the board.~~

11           ~~(d) The Governor may select one (1) person from any of the following~~  
12 ~~to serve in dual capacity as a member of the board;~~

13           ~~(1) Arkansas Development Finance Authority;~~

14           ~~(2) Arkansas Economic Development Commission;~~

15           ~~(3) State Board of Education;~~

16           ~~(4) State Board of Workforce Education;~~

17           ~~(5) Arkansas Department of Higher Education Coordinating Board;~~

18 ~~or~~

19           ~~(6) Transitional Employment Assistance Program Advisory Council~~  
20 ~~or their successors.~~

21           ~~(e) In appointing the members, the Governor shall take into~~  
22 ~~consideration that the board represents the diverse regions of Arkansas,~~  
23 ~~including but not limited to the urban, rural, and suburban areas, and that~~  
24 ~~the boards or commissions, or both, of the state educational and economic~~  
25 ~~development agencies are represented.~~

26           ~~(f) Non legislative members shall be appointed for four (4) year~~  
27 ~~staggered terms. The staggered terms shall be assigned by lot. The terms~~  
28 ~~shall commence on June 1 of each year.~~

29           ~~(g) A majority of the members shall be representatives of businesses.~~

30           ~~(h)(c) The Governor shall annually select on June 1 a chairperson for~~  
31 ~~the board among the representatives of businesses described in subdivision~~  
32 ~~(b)(6) of this section.~~

33           ~~(i) In the event of a vacancy on the board in one of the~~  
34 ~~nonlegislative positions, the vacancy shall be filled for the unexpired~~  
35 ~~portion of the term by appointment of the designated representative in~~  
36 ~~subdivision (b)(6) of this section of a person meeting the same~~

~~qualifications required for initial appointment.~~

~~(j)(d)~~ The board, by a majority vote of the total membership of the board cast during its first regularly scheduled meeting of each calendar year, may authorize payment to its members of a stipend not to exceed one hundred ten dollars (\$110) per meeting attended, and the board members shall receive no other compensation, expense reimbursement, or in-lieu-of payments as provided in § 25-16-902. The stipend shall be paid from the Arkansas Workforce Investment Fund.

~~(k)~~ The legislative members shall receive, in lieu of reimbursement for meals, lodging and travel, the same per diem and mileage allowance for each day of attending meetings of the board as is authorized by law for attending meetings of the interim committees of the General Assembly and shall be paid from the Arkansas Workforce Investment Fund.

~~(l)(e)~~ A member of the board shall not:

(1) Vote on a matter under consideration by the board:

(A) Regarding the provision of services by the member or by an entity that such member represents; or

(B) That would provide direct financial benefit to the member or the immediate family of the member; or

(2) Engage in any other activity determined by the Governor or by law to constitute a conflict of interest.

~~(m)(f)~~ The board shall hold its first meeting by July 15, 1999, at a place and time designated by the Governor. Subsequent meetings shall be held at least quarterly or at the call of the chairperson or upon the written request of a majority of the members of the board.

~~(n)(g)~~ For purposes of complying with this section, the Governor may use any state entity that:

(1) Was in existence on December 31, 1997, and

(2) Was established pursuant to section 122 or title VII of the Job Training Partnership Act, as in effect on December 31, 1997; or

(3) Is substantially similar to the board described in subsection (a) of this section.