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

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

HOUSE BILL 1158

4
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, 2020; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF CAREER
16 EDUCATION APPROPRIATION FOR THE 2019-2020
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 2019-2020 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 2019-2020
31	(1) U061U	ACE DIRECTOR	1	GRADE SE03
32	(2) U065U	ACE DEPUTY DIRECTOR	2	GRADE SE01
33	(3) U077U	ACE DEPUTY DIRECTOR CAREER & TECH ED	1	GRADE SE01
34	(4) G010C	ACE DIVISION MANAGER	5	GRADE GS12
35	(5) A031C	ASSISTANT CONTROLLER	1	GRADE GS11
36	(6) E061C	ACE PROGRAM COORDINATOR	16	GRADE GS10



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
2 OF FUNDS – PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall
3 establish, upon request from the Department of Career Education, a special
4 appropriation line item to be used in the acquisition of promotional items.
5 When the Department of Career Education wishes to transfer monies from its
6 operating expenses appropriation to the Promotional Items line, the Career
7 Education and Workforce Development Board shall approve the request and
8 forward it after receiving prior review and approval by the Arkansas
9 Legislative Council or Joint Budget Committee, to the Chief Fiscal Officer of
10 the State for processing.

11 Determining the maximum number of employees and the maximum amount of
12 appropriation and general revenue funding for a state agency each fiscal year
13 is the prerogative of the General Assembly. This is usually accomplished by
14 delineating such maximums in the appropriation act(s) for a state agency and
15 the general revenue allocations authorized for each fund and fund account by
16 amendment to the Revenue Stabilization law. Further, the General Assembly
17 has determined that the Department of Career Education may operate more
18 efficiently if some flexibility is provided to the Department of Career
19 Education authorizing broad powers under this Section. Therefore, it is both
20 necessary and appropriate that the General Assembly maintain oversight by
21 requiring prior approval of the Legislative Council or Joint Budget Committee
22 as provided by this section. The requirement of approval by the Legislative
23 Council or Joint Budget Committee is not a severable part of this section.
24 If the requirement of approval by the Legislative Council or Joint Budget
25 Committee is ruled unconstitutional by a court of competent jurisdiction,
26 this entire section is void.

27 The provisions of this section shall be in effect only from July 1, ~~2018~~
28 2019 through June 30, ~~2019~~ 2020.

29
30 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
32 TRANSFER. Upon approval from the Chief Fiscal Officer of the State, the
33 Department of Career Education may make a one-time transfer in an amount not
34 to exceed four hundred fifty thousand dollars (\$450,000) from the Alternative
35 Retirement Program Cash Fund to the Public School Career Education Fund
36 Account for Vocational Start-up Grants and Aid.

1 The provisions of this section shall be in effect only from July 1,
2 2019 through June 30, 2020.

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4 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
6 TRANSFER. Upon approval from the Chief Fiscal Officer of the State, the
7 Department of Career Education may transfer an amount not to exceed fifty
8 thousand dollars (\$50,000) per fiscal year from the Alternative Retirement
9 Program Cash Fund to the Public School Career Education Fund Account for
10 Vocational Start-up Grants and Aid.

11 The provisions of this section shall be in effect only from July 1,
12 2019 through June 30, 2020.

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14 SECTION 30. 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 31. 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.

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33 SECTION 32. 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, 2019 is essential to the operation of