

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representative Baker**

# A Bill

**ACT 791 OF 1995**  
**HOUSE BILL 1910**

## For An Act To Be Entitled

8 "AN ACT TO CREATE THE ARKANSAS EXISTING WORKFORCE TRAINING  
9 PROGRAM SO AS TO PROVIDE FINANCIAL INCENTIVES FOR  
10 COMPANIES LOCATED IN ARKANSAS TO UPGRADE THE SKILLS OF THE  
11 EXISTING WORKFORCE AND TO INCREASE THE CAPACITY OF  
12 STATE-SUPPORTED INSTITUTIONS TO SUPPLY THE ON-GOING  
13 TRAINING NEEDS OF ARKANSAS COMPANIES; TO DECLARE AN  
14 EMERGENCY; AND FOR OTHER PURPOSES."

## Subtitle

16  
17 "THE ARKANSAS EXISTING WORKFORCE  
18 TRAINING ACT OF 1995"

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

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22 SECTION 1. This Act may be referred to and cited as the Arkansas  
23 Existing Workforce Training Act of 1995.

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25 SECTION 2. As used in this Act, unless the context otherwise requires:

26 (1) "Governing council" means the directors, or their designees, of the  
27 Arkansas Industrial Development Commission, the Arkansas Department of Higher  
28 Education, and the Vocational and Technical Education Division of the Arkansas  
29 Department of Education;

30 (2) "Company" means an entity currently operating in the state that has  
31 filed a corporate income tax return prior to 1995 and is classified in SIC  
32 20-39;

33 (3) "Eligible recipient" means a full-time permanent employee of an  
34 Arkansas company who is subject to the Arkansas personal income tax; and

35 (4) "Basic skills training" means those math, reading, English,  
36 communication (listening, oral, and written), and computer literacy skills

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1 that a person can reasonably be expected to have attained by the end of the  
2 twelfth grade.

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4 SECTION 3. (a) There is hereby created the Arkansas Existing Workforce  
5 Training Program to be administered by a governing council comprised of equal  
6 representation from the Arkansas Department of Higher Education, the  
7 Vocational and Technical Education Division of the Arkansas Department of  
8 Education, and the Arkansas Industrial Development Commission.

9 (b) (1) The primary purpose of the Arkansas Existing Workforce Training  
10 Program shall be to provide financial assistance to Arkansas business and  
11 industry for upgrading the skills of the existing workforce.

12 (2) Secondary objectives include, but are not limited to the  
13 following:

14 (A) To increase the capacity of state-supported  
15 institutions to supply the on-going training needs of Arkansas companies;

16 (B) To increase company participation in the Arkansas  
17 School-To-Work Initiative.

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19 SECTION 4. The governing council shall promulgate rules and regulations  
20 in accord with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.,  
21 for the implementation of this Act by the Arkansas Industrial Development  
22 Commission. Such rules and regulations shall include but not be limited to  
23 the following:

24 (1) A company shall provide a valid training plan to the governing  
25 council;

26 (2) A company's match requirement shall be determined by the governing  
27 council and set forth in writing prior to any funds being committed and  
28 distributed;

29 (3) Training shall meet specific business goals and performance  
30 objectives;

31 (4) As part of the application process, a company shall be responsible  
32 for determining that participants involved in the training program possess the  
33 appropriate prerequisite literacy skills;

34 (5) Grant funds shall not be used for any training, including remedial  
35 basic skills training, that is authorized under any other state or federal

1 program.

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3           SECTION 5. (a) The Arkansas Existing Workforce Training Program shall  
4 provide matching funds to companies in a percentage to be determined by the  
5 governing council. Uses for such funds shall include, but not be limited to,  
6 costs for instruction, materials, and supplies.

7           (b) Funds to state-supported institutions for training may be used to  
8 develop curriculum, for class preparation, and, if approved by the governing  
9 council, to upgrade the skills of regular or adjunct faculty.

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11           SECTION 6. All provisions of this act of a general and permanent nature  
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
13 Revision Commission shall incorporate the same in the Code.

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15           SECTION 7. If any provision of this act or the application thereof to  
16 any person or circumstance is held invalid, such invalidity shall not affect  
17 other provisions or applications of the act which can be given effect without  
18 the invalid provision or application, and to this end the provisions of this  
19 act are declared to be severable.

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21           SECTION 8. All laws and parts of laws in conflict with this act are  
22 hereby repealed.

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24           SECTION 9. EMERGENCY. It is hereby found and determined by the General  
25 Assembly of the State of Arkansas that the training needs of the existing and  
26 future workforce of this state is critical to economic development and  
27 expansion of job opportunities and that any delay in the effective date of  
28 this act could work irreparable harm upon the proper administration and  
29 provision of such training and to the agencies charged with implementation of  
30 this Act. Therefore, an emergency is hereby declared to exist and this Act  
31 being necessary for the immediate preservation of the public peace, health and  
32 safety shall be in full force and effect from and after the date of its  
33 passage and approval.

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APPROVED: 3-24-95