

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.

Act 1383 of the Regular Session

As Engrossed: H3/13/09 H4/1/09 H4/6/09

A Bill

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

HOUSE BILL 1257

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES AND FOR GRANTS
11 AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL
12 PROGRAMS FOR THE DEPARTMENT OF WORKFORCE
13 EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30,
14 2010; AND FOR OTHER PURPOSES.
15

Subtitle

16
17
18 AN ACT FOR THE DEPARTMENT OF WORKFORCE
19 EDUCATION APPROPRIATION FOR THE
20 2009-2010 FISCAL YEAR.
21
22

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

25 SECTION 1. REGULAR SALARIES. There is hereby established for the
26 Department of Workforce Education for the 2009-2010 fiscal year, the
27 following maximum number of regular employees whose salaries shall be
28 governed by the provisions of the Uniform Classification and Compensation Act
29 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
30 thereto. Provided, however, that any position to which a specific maximum
31 annual salary is set out herein in dollars, shall be exempt from the
32 provisions of said Uniform Classification and Compensation Act. All persons
33 occupying positions authorized herein are hereby governed by the provisions
34 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
35 101), or its successor.



				Maximum	Maximum Annual
				No. of	Salary Rate
	Item	Class			Fiscal Year
	No.	Code	Title	Employees	2009-2010
6	(1)	U061U	DWE DIRECTOR	1	\$139,635
7	(2)	U077U	DWE DEP DIR CAREER & TECH EDUC	1	\$101,572
8	(3)	U065U	DWE DEPUTY DIRECTOR	1	\$101,571
9	(4)	U098U	DIR GOV COMM ON ADULT LITERACY	1	\$69,515
10	(5)	G010C	DWE DIVISION MANAGER	4	GRADE C128
11	(6)	A031C	ASSISTANT CONTROLLER	1	GRADE C124
12	(7)	V002C	FEDERAL SURPLUS PROPERTY MANAGER	1	GRADE C124
13	(8)	E022C	EDUCATION & INSTRUCTION MANAGER	14	GRADE C121
14	(9)	R014C	PERSONNEL MANAGER	1	GRADE C121
15	(10)	R019C	BUDGET MANAGER	1	GRADE C120
16	(11)	E026C	EDUCATION & INSTRUCTION COORDINATOR	34	GRADE C120
17	(12)	G147C	GRANTS COORDINATOR	1	GRADE C119
18	(13)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
19	(14)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
20	(15)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
21	(16)	V012C	FEDERAL SURPLUS PROPERTY SUPERVISOR	1	GRADE C117
22	(17)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
23	(18)	A091C	FISCAL SUPPORT ANALYST	2	GRADE C115
24	(19)	S034C	INTERSTATE TRUCK DRIVER	4	GRADE C115
25	(20)	V018C	WAREHOUSE MANAGER	1	GRADE C114
26	(21)	V019C	SURPLUS PROPERTY SPECIALIST	1	GRADE C113
27	(22)	C056C	ADMINISTRATIVE SPECIALIST III	11	GRADE C112
28	(23)	A098C	FISCAL SUPPORT SPECIALIST	4	GRADE C112
29	(24)	V021C	SURPLUS PROPERTY AGENT	4	GRADE C112
30	(25)	C073C	ADMINISTRATIVE SPECIALIST II	17	GRADE C109
31	(26)	C088C	MAIL SERVICES ASSISTANT	<u>1</u>	GRADE C105
32			MAX. NO. OF EMPLOYEES	<i>111</i>	

33

34 SECTION 2. EXTRA HELP - VOCATIONAL, TECHNICAL AND ADULT EDUCATION. There
 35 is hereby authorized, for the Department of Workforce Education - Vocational,
 36 Technical and Adult Education for the 2009-2010 fiscal year, the following

1 maximum number of part-time or temporary employees, to be known as "Extra
 2 Help", payable from funds appropriated herein for such purposes: forty-six
 3 (46) temporary or part-time employees, when needed, at rates of pay not to
 4 exceed those provided in the Uniform Classification and Compensation Act, or
 5 its successor, or this act for the appropriate classification.

6

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

8 There is hereby appropriated, to the Department of Workforce Education, to be
 9 payable from the Department of Workforce Education Fund Account, for personal
 10 services and operating expenses of the Department of Workforce Education -
 11 Vocational, Technical and Adult Education for the fiscal year ending June 30,
 12 2010, the following:

13

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2009-2010</u>
16 (01) REGULAR SALARIES	\$ 2,772,953
17 (02) EXTRA HELP	3,923
18 (03) PERSONAL SERVICES MATCHING	925,492
19 (04) MAINT. & GEN. OPERATION	
20 (A) OPER. EXPENSE	698,297
21 (B) CONF. & TRAVEL	28,751
22 (C) PROF. FEES	35,000
23 (D) CAP. OUTLAY	0
24 (E) DATA PROC.	0
25 (05) APPRENTICESHIP PROGRAM	1,950,000
26 (06) MOTOR VEHICLE EDUCATION PROGRAM	<u>2,500</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 6,416,916</u>

28

29 SECTION 4. APPROPRIATION - ADULT BASIC EDUCATION. There is hereby
 30 appropriated, to the Department of Workforce Education, to be payable from
 31 the Department of Workforce Education Fund Account, for personal services and
 32 operating expenses of the Department of Workforce Education - Adult Basic
 33 Education for the fiscal year ending June 30, 2010, the following:

34

35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2009-2010</u>

1	(01) REGULAR SALARIES	\$	498,984
2	(02) PERSONAL SERVICES MATCHING		168,758
3	(03) MAINT. & GEN. OPERATION		
4	(A) OPER. EXPENSE		25,000
5	(B) CONF. & TRAVEL		0
6	(C) PROF. FEES		0
7	(D) CAP. OUTLAY		0
8	(E) DATA PROC.		<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	\$	<u>692,742</u>

10

11 SECTION 5. APPROPRIATION - HIGH-TECH SCHOLARSHIP AWARD PROGRAM. There is
 12 hereby appropriated, to the Department of Workforce Education, to be payable
 13 from the Department of Workforce Education Fund Account, for scholarships of
 14 the Department of Workforce Education - High-Tech Scholarship Award Program
 15 for the fiscal year ending June 30, 2010, the following:

16

17	ITEM		FISCAL YEAR
18	<u>NO.</u>		<u>2009-2010</u>
19	(01) SCHOLARSHIPS	\$	<u>10,000</u>

20

21 SECTION 6. EXTRA HELP - FEDERAL VOCATIONAL, TECHNICAL AND ADULT EDUCATION.
 22 There is hereby authorized, for the Department of Workforce Education -
 23 Federal Vocational, Technical and Adult Education for the 2009-2010 fiscal
 24 year, the following maximum number of part-time or temporary employees, to be
 25 known as "Extra Help", payable from funds appropriated herein for such
 26 purposes: twenty-seven (27) temporary or part-time employees, when needed,
 27 at rates of pay not to exceed those provided in the Uniform Classification
 28 and Compensation Act, or its successor, or this act for the appropriate
 29 classification.

30

31 SECTION 7. APPROPRIATION - FEDERAL VOCATIONAL, TECHNICAL AND ADULT
 32 EDUCATION. There is hereby appropriated, to the Department of Workforce
 33 Education, to be payable from the federal funds as designated by the Chief
 34 Fiscal Officer of the State, for personal services, operating expenses and
 35 grants of the Department of Workforce Education - Federal Vocational,
 36 Technical and Adult Education for the fiscal year ending June 30, 2010, the

1 following:

2		
3	ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2009-2010</u>
5	(01) REGULAR SALARIES	\$ 804,543
6	(02) EXTRA HELP	5,000
7	(03) PERSONAL SERVICES MATCHING	296,084
8	(04) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	543,936
10	(B) CONF. & TRAVEL	46,175
11	(C) PROF. FEES	748,350
12	(D) CAP. OUTLAY	0
13	(E) DATA PROC.	0
14	(05) VOCATIONAL EDUCATION GRANTS	<u>13,531,376</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$ 15,975,464</u>

16

17 SECTION 8. EXTRA HELP - FEDERAL SURPLUS PROPERTY PROGRAM. There is hereby
 18 authorized, for the Department of Workforce Education - Federal Surplus
 19 Property Program for the 2009-2010 fiscal year, the following maximum number
 20 of part-time or temporary employees, to be known as "Extra Help", payable
 21 from funds appropriated herein for such purposes: six (6) temporary or part-
 22 time employees, when needed, at rates of pay not to exceed those provided in
 23 the Uniform Classification and Compensation Act, or its successor, or this
 24 act for the appropriate classification.

25

26 SECTION 9. APPROPRIATION - FEDERAL SURPLUS PROPERTY PROGRAM. There is
 27 hereby appropriated, to the Department of Workforce Education, to be payable
 28 from the Federal Surplus Property Fund, for personal services and operating
 29 expenses of the Department of Workforce Education - Federal Surplus Property
 30 Program for the fiscal year ending June 30, 2010, the following:

31

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2009-2010</u>
34	(01) REGULAR SALARIES	\$ 549,188
35	(02) EXTRA HELP	12,000
36	(03) PERSONAL SERVICES MATCHING	222,055

1	(04) OVERTIME	40,000
2	(05) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	1,032,401
4	(B) CONF. & TRAVEL	15,000
5	(C) PROF. FEES	15,263
6	(D) CAP. OUTLAY	195,000
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,080,907</u>

9

10 SECTION 10. APPROPRIATION - FEDERAL ADULT BASIC EDUCATION. There is hereby
 11 appropriated, to the Department of Workforce Education, to be payable from
 12 the federal funds as designated by the Chief Fiscal Officer of the State, for
 13 personal services, operating expenses and grants of the Department of
 14 Workforce Education - Federal Adult Basic Education for the fiscal year
 15 ending June 30, 2010, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2009-2010</u>
19	(01) REGULAR SALARIES	\$ 167,239
20	(02) PERSONAL SERVICES MATCHING	56,300
21	(03) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	77,467
23	(B) CONF. & TRAVEL	7,700
24	(C) PROF. FEES	9,000
25	(D) CAP. OUTLAY	0
26	(E) DATA PROC.	0
27	(04) ADULT BASIC EDUCATION GRANTS	<u>7,149,060</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,466,766</u>

29

30 SECTION 11. APPROPRIATION - FEDERAL VETERANS APPROVING AGENCY. There is
 31 hereby appropriated, to the Department of Workforce Education, to be payable
 32 from the federal funds as designated by the Chief Fiscal Officer of the
 33 State, for personal services and operating expenses of the Department of
 34 Workforce Education - Federal Veterans Approving Agency for the fiscal year
 35 ending June 30, 2010, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2009-2010</u>
3	(01) REGULAR SALARIES	\$ 151,216
4	(02) PERSONAL SERVICES MATCHING	55,829
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	57,546
7	(B) CONF. & TRAVEL	5,623
8	(C) PROF. FEES	600
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$ 270,814</u>

12

13 SECTION 12. APPROPRIATION - FEDERAL EQUIPMENT AND TRAINING. There is
 14 hereby appropriated, to the Department of Workforce Education, to be payable
 15 from the federal funds as designated by the Chief Fiscal Officer of the
 16 State, for operating expenses of the Department of Workforce Education -
 17 Federal Equipment and Training for the fiscal year ending June 30, 2010, the
 18 following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2009-2010</u>
22	(01) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	\$ 6,000
24	(B) CONF. & TRAVEL	0
25	(C) PROF. FEES	0
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 6,000</u>

29

30 SECTION 13. APPROPRIATION - CONSTRUCTION INDUSTRY CRAFT TRAINING PROGRAM.
 31 There is hereby appropriated, to the Department of Workforce Education, to be
 32 payable from the Arkansas Construction Industry Craft Training Trust Fund,
 33 for personal services, operating expenses and grants of the Department of
 34 Workforce Education - Construction Industry Craft Training Program for the
 35 fiscal year ending June 30, 2010, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2009-2010</u>
3	(01) REGULAR SALARIES	\$ 47,251
4	(02) PERSONAL SERVICES MATCHING	16,171
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	12,000
7	(B) CONF. & TRAVEL	7,500
8	(C) PROF. FEES	0
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	0
11	(04) GRANTS TO CONSTRUCTION INDUSTRY CRAFT	
12	TRAINING PROGRAM	<u>800,000</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 882,922</u>

14

15 SECTION 14. APPROPRIATION - ALTERNATIVE RETIREMENT PROGRAM - CASH. There
 16 is hereby appropriated, to the Department of Workforce Education, to be
 17 payable from cash funds as defined by Arkansas Code 19-4-801 of the
 18 Department of Workforce Education, for personal services and operating
 19 expenses of the Department of Workforce Education - Alternative Retirement
 20 Program - Cash for the fiscal year ending June 30, 2010, the following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2009-2010</u>
24	(01) PERSONAL SERVICES MATCHING	\$ 110,222
25	(02) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	12,300
27	(B) CONF. & TRAVEL	0
28	(C) PROF. FEES	0
29	(D) CAP. OUTLAY	0
30	(E) DATA PROC.	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 122,522</u>

32

33 SECTION 15. APPROPRIATION - HOUSING CONSTRUCTION PROGRAM. There is hereby
 34 appropriated, to the Department of Workforce Education, to be payable from
 35 the Building Trades Revolving Fund, for loans to Secondary Area Technical
 36 Centers or other eligible entities, for the purchase of building materials,

1 supplies, and fixtures to be used in the construction of a single family
 2 dwelling unit or other non-residential building project through the Housing
 3 Construction Program of the Department of Workforce Education for the fiscal
 4 year ending June 30, 2010, the following:

5	6 ITEM	FISCAL YEAR
7	<u>NO.</u>	<u>2009-2010</u>
8	(01) LOANS	\$ <u>164,806</u>

9

10 SECTION 16. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY. There
 11 is hereby appropriated, to the Department of Workforce Education, to be
 12 payable from the Department of Workforce Education Public School Fund
 13 Account, for personal services, operating expenses and grants of the
 14 Department of Workforce Education - Governor's Commission on Adult Literacy
 15 for the fiscal year ending June 30, 2010, the following:

16	17 ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2009-2010</u>
19	(01) REGULAR SALARIES	\$ 28,014
20	(02) PERSONAL SERVICES MATCHING	9,847
21	(03) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	52,242
23	(B) CONF. & TRAVEL	6,005
24	(C) PROF. FEES	0
25	(D) CAP. OUTLAY	0
26	(E) DATA PROC.	0
27	(04) GRANTS TO LITERACY COUNCILS	<u>675,000</u>
28	TOTAL AMOUNT APPROPRIATED	\$ <u>771,108</u>

29

30 SECTION 17. APPROPRIATION - ADULT BASIC AND GENERAL ADULT EDUCATION. There
 31 is hereby appropriated, to the Department of Workforce Education, to be
 32 payable from the Department of Workforce Education Public School Fund
 33 Account, for Adult Basic and General Adult Education grants and aid by the
 34 Department of Workforce Education for the fiscal year ending June 30, 2010,
 35 the following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>

(01) ADULT BASIC & GENERAL ADULT EDUCATION	<u>\$ 25,271,953</u>
-----------------------------------------------	----------------------

SECTION 18. APPROPRIATION - COORDINATED CAREER EDUCATION SERVICES. There is hereby appropriated, to the Department of Workforce Education, to be payable from the Department of Workforce Education Public School Fund Account, for Coordinated Career Education Services - Special Needs Students Program grants and aid by the Department of Workforce Education for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>

(01) COORDINATED CAREER EDUCATION SERVICES-SPECIAL NEEDS STUDENTS PROGRAM GRANTS & AID	<u>\$ 1,119,433</u>
----------------------------------------------------------------------------------------------	---------------------

SECTION 19. APPROPRIATION - VOCATIONAL CENTER AID. There is hereby appropriated, to the Department of Workforce Education, to be payable from the Department of Workforce Education Public School Fund Account, for Vocational Center grants and aid by the Department of Workforce Education - Vocational Center Aid for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>

(01) VOCATIONAL CENTER GRANTS AND AID	<u>\$ 20,136,383</u>
---------------------------------------	----------------------

SECTION 20. APPROPRIATION - VOCATIONAL START-UP GRANTS AND AID. There is hereby appropriated, to the Department of Workforce Education, to be payable from the Department of Workforce Education Public School Fund Account, for Vocational Start-Up grants and aid by the Department of Workforce Education for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
------	-------------

1	<u>NO.</u>	<u>2009-2010</u>
2	(01) VOCATIONAL START-UP GRANTS & AID	\$ <u>2,370,000</u>

3

4 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL
 6 MATCHING. The funds appropriated in Sections for Adult Basic and General
 7 Adult Education, Coordinated Career Education Services, Vocational Center Aid
 8 and Vocational Start-up Grants and Aid of this Act may also be used to match
 9 any available federal funds from any agency in order to provide the maximum
 10 amount of money possible for the purposes enumerated in such section.

11 The provisions of this section shall be in effect only from July 1, ~~2007~~
 12 2009 through June 30, ~~2009~~ 2010.

13

14 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 16 VOCATIONAL START-UP. The funds and appropriations contained herein for
 17 Vocational Start-Up shall be allocated in accordance with rules and
 18 regulations established by the State Board of Workforce Education and Career
 19 Opportunities, after the rules and regulations have undergone a prior review
 20 by the Administrative Rules and Regulations Subcommittee of the Arkansas
 21 Legislative Council or Joint Budget Committee.

22 The provisions of this section shall be in effect only from July 1, ~~2007~~
 23 2009 through June 30, ~~2009~~ 2010.

24

25 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 27 EDUCATIONAL TRAINING/RETRAINING. Of the funds and appropriation authorized by
 28 Item (01) in the section of this Act for Adult Basic and General Adult
 29 Education, a sum of \$300,000 each fiscal year shall be made available to
 30 eligible entities approved by the State Board of Workforce Education and
 31 Career Opportunities, in order to expand the vocational education and
 32 training opportunities available to area citizens in need of adult
 33 educational training or retraining due to changing technology.

34 Further, if the appropriation is not fully funded due to a decrease in the
 35 official revenue forecast or the available carryover balance of the
 36 Department of Workforce Education Public School Fund Account, the Department

1 of Workforce Education may reduce proportionally the amount made available to
2 eligible entities approved by the State Board of Workforce Education and
3 Career Opportunities in order to expand the vocational education and training
4 opportunities to area citizens in need of adult educational training or
5 retraining due to changing technology.

6 The provisions of this section shall be in effect only from July 1, ~~2007~~
7 2009 through June 30, ~~2009~~ 2010.

8

9 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT
11 EDUCATION DISTRIBUTION. All funds that become available for Adult Education
12 shall first be distributed to those administrative units determined to be
13 operating efficient and effective adult education programs, under criteria
14 established by the State Board of Workforce Education and Career
15 Opportunities. The criteria shall include the relative efficiency of
16 administration of the program in the counties served and achievement of
17 federal performance indicators. The State Board of Workforce Education and
18 Career Opportunities shall promulgate rules and regulations for the
19 distribution of funds in accordance with criteria to be determined by the
20 Board. In the distribution of funds to local units the Board shall consider
21 the literacy rate in each county and performance in meeting state and federal
22 performance indicators. For the purposes of this Section, the term "literacy
23 rate" shall be determined by the number of adults completing less than the
24 twelfth grade as reported by the most recent decennial federal census.
25 Unallocated funds will be redistributed based upon need as determined by the
26 State Board of Workforce Education and Career Opportunities.

27 The provisions of this section shall be in effect only from July 1, ~~2007~~
28 2009 through June 30, ~~2009~~ 2010.

29

30 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
32 OF FUNDS – PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall
33 establish, upon request from the Department of Workforce Education, a special
34 appropriation line item to be used in the acquisition of promotional items.
35 When the Department of Workforce Education wishes to transfer monies from its
36 operating expenses appropriation to the Promotional Items line, the State

1 Board of Workforce Education and Career Opportunities shall approve the
2 request and forward it after receiving prior review and approval by the
3 Arkansas Legislative Council or Joint Budget Committee, to the Chief Fiscal
4 Officer of the State for processing.

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

21

22 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITION
24 FUNDING RESTRICTION. One position of Surplus Property ~~Inventory Control~~
25 ~~Manager Specialist~~, two positions of Surplus Property Agent, and one position
26 of ~~Secretary II Administrative Specialist II~~ authorized in this Act that are
27 assigned to the Federal Surplus Property Program are to be paid solely from
28 fees generated by the program.

29 The provisions of this section shall be in effect only from July 1, ~~2007~~
30 2009 through June 30, ~~2009~~ 2010.

31

32 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
34 ALLOCATION PROVISION - ADULT EDUCATION. Notwithstanding any other provision
35 of law to the contrary, any general revenue allocated under Arkansas Code
36 §19-5-401 et seq., Arkansas Revenue Stabilization Law, that is received by

1 and distributed from the Department of Workforce Education Public School Fund
2 Account in excess of thirty-two million four hundred forty-three thousand two
3 hundred thirty-three dollars (\$32,443,233) shall be allocated, budgeted,
4 committed and distributed equally among all Arkansas Adult Education
5 Programs.

6
7 SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
8 by this act shall be limited to the appropriation for such agency and funds
9 made available by law for the support of such appropriations; and the
10 restrictions of the State Procurement Law, the General Accounting and
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
12 Procedures and Restrictions Act, or their successors, and other fiscal
13 control laws of this State, where applicable, and regulations promulgated by
14 the Department of Finance and Administration, as authorized by law, shall be
15 strictly complied with in disbursement of said funds.

16
17 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General Assembly
18 that any funds disbursed under the authority of the appropriations contained
19 in this act shall be in compliance with the stated reasons for which this act
20 was adopted, as evidenced by the Agency Requests, Executive Recommendations
21 and Legislative Recommendations contained in the budget manuals prepared by
22 the Department of Finance and Administration, letters, or summarized oral
23 testimony in the official minutes of the Arkansas Legislative Council or
24 Joint Budget Committee which relate to its passage and adoption.

25
26 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the General
27 Assembly, that the Constitution of the State of Arkansas prohibits the
28 appropriation of funds for more than a one (1) year period; that the
29 effectiveness of this Act on July 1, 2009 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the Regular Session, the delay in the effective
32 date of this Act beyond July 1, 2009 could work irreparable harm upon the
33 proper administration and provision of essential governmental programs.
34 Therefore, an emergency is hereby declared to exist and this Act being
35 necessary for the immediate preservation of the public peace, health and
36 safety shall be in full force and effect from and after July 1, 2009.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

/s/ Joint Budget Committee

APPROVED: 4/9/2009