

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 787 of the Regular Session

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

# A Bill

HOUSE BILL 1884

4  
5 By: Representative Saunders  
6 By: Senator Glover

## For An Act To Be Entitled

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9  
10 AN ACT RENAMING THE DEPARTMENT OF WORKFORCE  
11 EDUCATION AS THE DEPARTMENT OF CAREER EDUCATION;  
12 RENAMING THE STATE BOARD OF WORKFORCE EDUCATION  
13 AND CAREER OPPORTUNITIES AS THE STATE BOARD OF  
14 CAREER EDUCATION; AND FOR OTHER PURPOSES.

### Subtitle

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17 RENAMING THE DEPARTMENT OF WORKFORCE  
18 EDUCATION AS THE DEPARTMENT OF CAREER  
19 EDUCATION AND THE STATE BOARD OF  
20 WORKFORCE EDUCATION AND CAREER  
21 OPPORTUNITIES AS THE STATE BOARD OF  
22 CAREER EDUCATION.

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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26  
27 SECTION 1. Department of Workforce Education renamed Department of  
28 Career Education.

29 (a)(1) The Department of Workforce Education, as it is referred to or  
30 empowered through the Arkansas Code, is renamed.

31 (2) In its place, the Department of Career Education is  
32 established, succeeding to the general powers and responsibilities previously  
33 assigned to the Department of Workforce Education.

34 (3) The Director of the Department of Workforce Education shall  
35 identify and revise all interagency agreements, financial instruments, funds,



1 and other necessary legal documents in order to effect this change.

2 (b) Nothing in this act shall be construed as impairing the powers and  
 3 authority of the Department of Workforce Education before the effective date  
 4 of the name change.

5 (c) Appropriations authorized for the personal services and operating  
 6 expenses of the Department of Workforce Education may be utilized for the  
 7 personal services and operating expenses of the Department of Career  
 8 Education.

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 10 SECTION 2. State Board of Workforce Education and Career Opportunities  
 11 renamed State Board of Career Education.

12 (a)(1) The State Board of Workforce Education and Career  
 13 Opportunities, as it is referred to or empowered through the Arkansas Code,  
 14 is renamed.

15 (2) In its place, the State Board of Career Education is  
 16 established, succeeding to the general powers and responsibilities previously  
 17 assigned to the State Board of Workforce Education and Career Opportunities.

18 (3) The Chair of the State Board of Workforce Education and  
 19 Career Opportunities shall identify and revise all interagency agreements,  
 20 financial instruments, funds, and other necessary legal documents in order to  
 21 effect this change.

22 (b) Nothing in this act shall be construed as impairing the powers and  
 23 authority of the State Board of Workforce Education and Career Opportunities  
 24 before the effective date of the name change.

25 (c) Appropriations authorized for the personal services and operating  
 26 expenses of the State Board of Workforce Education and Career Opportunities  
 27 may be utilized for the personal services and operating expenses of the State  
 28 Board of Career Education.

29  
 30 SECTION 3. Arkansas Code 25-30-101 is amended to read as follows:

31 ~~25-30-101. State Board of Workforce Education and Career Opportunities~~  
 32 State Board of Career Education.

33 (a) There is hereby created the ~~State Board of Workforce Education and~~  
 34 ~~Career Opportunities~~ State Board of Career Education, hereinafter referred to  
 35 as "the board".

36 (b) The State Board of Vocational Education created by § 6-11-101 is

1 abolished and transferred to the ~~State Board of Workforce Education and~~  
2 ~~Career Opportunities~~ State Board of Career Education by a type 3 transfer  
3 under § 25-2-106.

4 (c) The ~~State Board of Workforce Education and Career Opportunities~~  
5 State Board of Career Education shall be composed as follows:

6 (1) Seven (7) members appointed by the Governor subject to  
7 confirmation by the Senate, one (1) member from each congressional district  
8 and three (3) members from the state at large; and

9 (2) The members shall be selected from among parents, business,  
10 industry, labor, persons with disabilities, minorities, and other groups who  
11 shall be representative of the many career opportunities available in the  
12 state such as:

13 (A) Administration, business, and finance management;

14 (B) Agriculture, forestry, and natural resources;

15 (C) Art, media, and communications;

16 (D) Construction and extractive;

17 (E) Education and training services;

18 (F) Health and medical services;

19 (G) Hospitality and tourism;

20 (H) Legal and protective services;

21 (I) Manufacturing, processing, and systems operations;

22 (J) Marketing, sales, and promotion;

23 (K) Mechanical and technical services and precision  
24 crafts;

25 (L) Natural and applied science and engineering;

26 (M) Personal and commercial services; and

27 (N) Transportation and material moving.

28 (d) The term of office of members shall be seven (7) years, except  
29 that at the first meeting the members shall draw lots for staggered terms so  
30 that no more than one (1) membership shall expire each year on June 30.

31 (e) No person may serve as a member of the board unless he or she is a  
32 qualified elector of this state.

33 (f) No candidate for or holder of a public office in the state,  
34 Director of the Department of Education or Director of the Department of  
35 Higher Education, employee of a public school district, employee of a  
36 postsecondary or higher education institution, or member of any board of

1 directors or board of trustees of any postsecondary or higher education  
 2 institution in this state shall serve as a member of the ~~State Board of~~  
 3 ~~Workforce Education and Career Opportunities~~ State Board of Career Education.

4 (g) When a vacancy occurs in the membership of the board, a successor  
 5 will be appointed in the same manner as the person succeeded and will serve  
 6 the person's unexpired term, subject to all other provisions of this  
 7 subchapter.

8 (h) The members of the board shall serve without remuneration, except  
 9 as specified in § 25-16-901 et seq. for the State Board of Vocational  
 10 Education.

11 (i) The board shall elect from its own number a chair and such other  
 12 officers as may be deemed necessary to carry on its business.

13 (j) The board shall meet at least once during each calendar quarter  
 14 and at such other times upon call of the chair or any other three (3)  
 15 members.

16 (k)(1) The board shall appoint from its membership a liaison officer  
 17 to the State Board of Education, the Arkansas Higher Education Coordinating  
 18 Board, the Department of Human Services, the Arkansas Employment Security  
 19 Department, and the Arkansas Economic Development Commission.

20 (2) Liaison officers shall attend the board and council meetings  
 21 or other appropriate meetings as designated by the chair and shall represent  
 22 and articulate the policies of the board to these boards, councils, and  
 23 agencies.

24 (l) The Director of the Department of Education and the Director of  
 25 the Department of Higher Education shall serve as ex officio nonvoting  
 26 members of the ~~State Board of Workforce Education and Career Opportunities~~  
 27 State Board of Career Education.

28 (m) The Director of the Department of Higher Education and the  
 29 Director of the Department of ~~Workforce~~ Career Education shall serve as ex  
 30 officio nonvoting members of the State Board of Education.

31 (n) The Director of the Department of ~~Workforce~~ Career Education and  
 32 the Director of the Department of Education shall serve as ex officio  
 33 nonvoting members of the Arkansas Higher Education Coordinating Board.

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 35 SECTION 4. Arkansas Code 25-30-106 is amended to read as follows:  
 36 25-30-106. Department of ~~Workforce~~ Career Education.

1 (a) There is hereby created the Department of ~~Workforce~~ Career  
 2 Education, hereinafter referred to as “the department”.

3 (b) The Vocational and Technical Education Division of the Department  
 4 of Education created by § 25-6-101, the Governor’s Commission on Adult  
 5 Literacy created by § 6-44-201 [repealed], and the Advisory Council for  
 6 Vocational-Technical Education created by § 6-50-601 [repealed] are abolished  
 7 and transferred to the Department of ~~Workforce~~ Career Education by a type 3  
 8 transfer under § 25-2-106.

9 (c) The Arkansas Rehabilitation Services as an agency responsible to  
 10 the ~~State Board of Workforce Education and Career Opportunities~~ State Board  
 11 of Career Education and as a part of the Department of ~~Workforce~~ Career  
 12 Education shall function as an agency in accordance with § 6-52-101 et seq.  
 13 and § 25-30-201 et seq. This subchapter shall assure that the Arkansas  
 14 Rehabilitation Services functions organizationally at a level at least equal  
 15 to that of any division or entity of the Department of ~~Workforce~~ Career  
 16 Education.

17 (d) The board shall appoint a director of the department who shall:

- 18 (1) Be a member of the Governor’s cabinet;
- 19 (2) Be confirmed by the Governor; and
- 20 (3) Serve at the pleasure of the Governor.

21 (e) The director shall devote all of his or her time to the duties of  
 22 his or her office, shall act as agent of the board, and shall perform such  
 23 other duties as are designated by the board or by statute.

24 (f) The director shall serve as the ex officio secretary of the board  
 25 without vote.

26 (g) The person selected as director must be a person of good moral  
 27 character, recognized as a leader in the field of vocational or workforce  
 28 education, and qualified technically and by experience to direct the work of  
 29 the department.

30 (h) No person who is related within the fourth degree of consanguinity  
 31 or affinity to any member of the board shall be eligible to serve as director  
 32 of the department.

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 34 SECTION 5. (a) This act shall not be construed as impairing the  
 35 continued effectiveness of any rules or orders promulgated or issued by the  
 36 Department of Workforce Education or the State Board of Workforce Education

1 and Career Opportunities before the effective date of this act.

2 (b) This act shall not be construed as extinguishing or otherwise  
3 affecting the unexpired terms of any current members of the State Board of  
4 Workforce Education and Career Opportunities.

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6 SECTION 6. The Arkansas Code Revision Commission shall make all  
7 changes in the Arkansas Code necessary to effectuate the intent of this act.

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9 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the  
10 General Assembly of the State of Arkansas that this act renames the  
11 Department of Workforce Education and the State Board of Workforce Education  
12 and Career Opportunities and that the ideal time to implement these name  
13 changes is at the beginning of the state’s fiscal year. Therefore, an  
14 emergency is declared to exist and this act being necessary for the  
15 preservation of the public peace, health, and safety shall become effective  
16 on July 1, 2009.

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18 **APPROVED: 4/3/2009**

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