Stricken language will be deleted and underlined language will be added. Act 956 of the Regular Session

1	State of	Arkansas		As Engros	ssed: H3/24 AB	4/11 • 11	
2	88th Ger	neral Asser	mbly		AB	1ll	
3	Regular	Session, 20	011				HOUSE BILL 1290
4							
5	By: Join	nt Budget C	Commit	tee			
6							
7				For An Act	To Be E	ntitled	
8			AN AC'	T TO MAKE AN APPRO	PRIATION	FOR PERSONAL	
9			SERVI	CES AND OPERATING	EXPENSES	AND FOR GRANTS	
10			AND A	ID TO LOCAL SCHOOL	DISTRIC	TS AND SPECIAL	
11			PROGR	AMS FOR THE DEPART	MENT OF	CAREER EDUCATIO	N
12			FOR T	HE FISCAL YEAR END	ING JUNE	30, 2012; AND	FOR
13			OTHER	PURPOSES.			
14							
15							
16				Su	ıbtitle		
17			AN	ACT FOR THE DEPAR	RTMENT OF	CAREER	
18			ED	UCATION APPROPRIAT	CION FOR	THE 2011-2012	
19			FI	SCAL YEAR.			
20							
21							
22	BE IT	ENACTED	BY THE	E GENERAL ASSEMBLY	OF THE S	STATE OF ARKANS	AS:
23							
24		SECTION	1. REC	GULAR SALARIES. T	here is h	nereby establish	ned for the
25	Depart	ment of	Career	Education for th	e 2011-20)12 fiscal year,	, the following
26	maximu	m number	of re	egular employees.			
27							
28						1	Maximum Annual
29						Maximum	Salary Rate
30	Item	Class				No. of	Fiscal Year
31	No.	Code T	itle			Employees	2011-2012
32	(1)	U061U	ACE I	DIRECTOR		1	\$145,502
33	(2)	U077U	ACE I	DEPUTY DIR CAREER	& TECH EI) 1	\$105,840
34	(3)	U065U	ACE I	DEPUTY DIRECTOR		1	\$105,839
35	(4)	U098U	DIR C	GOV COMM ON ADULT	LITERACY	1	\$72,435
36	(5)	G010C	ACE I	DIVISION MANAGER		4	GRADE C128

1	(6)	A031C	ASSISTANT CONTROLLER	1	GRADE C124
2	(7)	E061C	ACE PROGRAM COORDINATOR	15	GRADE C123
3	(8)	E062C	ACE PROGRAM ADVISOR	33	GRADE C122
4	(9)	R014C	PERSONNEL MANAGER	1	GRADE C121
5	(10)	R019C	BUDGET MANAGER	1	GRADE C120
6	(11)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
7	(12)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
8	(13)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
9	(14)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
10	(15)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
11	(16)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
12	(17)	C056C	ADMINISTRATIVE SPECIALIST III	8	GRADE C112
13	(18)	A098C	FISCAL SUPPORT SPECIALIST	3	GRADE C112
14	(19)	C073C	ADMINISTRATIVE SPECIALIST II	16	GRADE C109
15	(20)	C088C	MAIL SERVICES ASSISTANT	<u>1</u>	GRADE C105
16		MAX. NO	O. OF EMPLOYEES	93	

17

21

18 SECTION 2. EXTRA HELP - VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

19 There is hereby authorized, for the Department of Career Education -

20 Vocational, Technical and Adult Education for the 2011-2012 fiscal year, the

following maximum number of part-time or temporary employees, to be known as

22 "Extra Help", payable from funds appropriated herein for such purposes:

23 forty-six (46) temporary or part-time employees, when needed, at rates of pay

24 not to exceed those provided in the Uniform Classification and Compensation

Act, or its successor, or this act for the appropriate classification.

2526

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

28 There is hereby appropriated, to the Department of Career Education, to be

29 payable from the Department of Workforce Education Fund Account, for personal

30 services and operating expenses of the Department of Career Education -

31 Vocational, Technical and Adult Education for the fiscal year ending June 30,

32 2012, the following:

33

34	ITEM		FISCAL YEAR
35	NO.		2011-2012
36	(01)	REGULAR SALARTES	\$3.057.980

1	(02) EXTRA HELP	3,923
2	(03) PERSONAL SERVICES MATCHING	945,583
3	(04) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	929,297
5	(B) CONF. & TRAVEL	28,751
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	0
9	(05) APPRENTICESHIP PROGRAM	1,611,456
10	(06) MOTOR VEHICLE EDUCATION PROGRAM	2,500
11	TOTAL AMOUNT APPROPRIATED	\$6,579,490
12		
13	SECTION 4. APPROPRIATION - ADULT BASIC EDUCATION. Th	ere is hereby
14	appropriated, to the Department of Career Education, to be	payable from the
15	Department of Workforce Education Fund Account, for persona	l services and
16	operating expenses of the Department of Career Education -	Adult Basic
17	Education for the fiscal year ending June 30, 2012, the fol	lowing:
18		
19	ITEM	FISCAL YEAR
20	NO.	2011-2012
21	(01) REGULAR SALARIES	\$380,220
22	(02) PERSONAL SERVICES MATCHING	112,588
23	(03) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	25,000
25	(B) CONF. & TRAVEL	0
26	(C) PROF. FEES	0
27	(D) CAP. OUTLAY	0
28	(E) DATA PROC.	0

293031

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33

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TOTAL AMOUNT APPROPRIATED

SECTION 5. APPROPRIATION - HIGH-TECH SCHOLARSHIP AWARD PROGRAM. There is hereby appropriated, to the Department of Career Education, to be payable from the Department of Workforce Education Fund Account, for scholarships of the Department of Career Education - High-Tech Scholarship Award Program for the fiscal year ending June 30, 2012, the following:

3536

\$517,808

As Engrossed: H3/24/11 HB1290

1	ITEM	FISCAL YEAR			
2	NO.	2011-2012			
3	(01) SCHOLARSHIPS	\$10,000			
4					
5	SECTION 6. EXTRA HELP - FEDERAL VOCATIONAL, TECHNIC	AL AND ADULT			
6	EDUCATION. There is hereby authorized, for the Departmen	t of Career			
7	Education - Federal Vocational, Technical and Adult Educa	tion for the 2011-			
8	2012 fiscal year, the following maximum number of part-ti-	me or temporary			
9	employees, to be known as "Extra Help", payable from fund	s appropriated			
10	herein for such purposes: twenty-seven (27) temporary or	part-time			
11	employees, when needed, at rates of pay not to exceed tho	se provided in the			
12	Uniform Classification and Compensation Act, or its succe	ssor, or this act			
13	for the appropriate classification.				
14					
15	SECTION 7. APPROPRIATION - FEDERAL VOCATIONAL, TECH	NICAL AND ADULT			
16	EDUCATION. There is hereby appropriated, to the Departme	nt of Career			
17	Education, to be payable from the federal funds as design	ated by the Chief			
18	Fiscal Officer of the State, for personal services, operating expenses and				
19	grants by the Department of Career Education - Federal Vo	cational, Technical			
20	and Adult Education for the fiscal year ending June 30, 2	012, the following:			
21					
22	ITEM	FISCAL YEAR			
23	NO.	2011-2012			
24	(01) REGULAR SALARIES	\$782,679			
25	(02) EXTRA HELP	5,000			
26	(03) PERSONAL SERVICES MATCHING	255 , 907			
27	(04) MAINT. & GEN. OPERATION	0.700.006			
28	(A) OPER. EXPENSE	2,723,936			
29	(B) CONF. & TRAVEL	46,175			
30	(C) PROF. FEES	748,350			
31	(D) CAP. OUTLAY	0			
32	(05) VOCATIONAL EDUCATION GRANTS	16,922,876			
33 34	TOTAL AMOUNT APPROPRIATED	\$21,484,923			
34 35	SECTION 8. APPROPRIATION - FEDERAL ADULT BASIC EDUC.	ATTON Thomasia			
36	hereby appropriated, to the Department of Career Education				
20	netery appropriated, to the Department of Career Education	n, to be payable			

1	from the federal funds as designated by the Chief Fiscal Off	ficer of the			
2	State, for personal services, operating expenses and grants	by the Department			
3	of Career Education - Federal Adult Basic Education for the	fiscal year			
4	ending June 30, 2012, the following:				
5					
6	ITEM	FISCAL YEAR			
7	NO.	2011-2012			
8	(01) REGULAR SALARIES	\$174,289			
9	(02) PERSONAL SERVICES MATCHING	51,799			
10	(03) MAINT. & GEN. OPERATION				
11	(A) OPER. EXPENSE	77,467			
12	(B) CONF. & TRAVEL	25,200			
13	(C) PROF. FEES	9,000			
14	(D) CAP. OUTLAY	0			
15	(E) DATA PROC.	0			
16	(04) ADULT BASIC EDUCATION GRANTS	7,149,060			
17	TOTAL AMOUNT APPROPRIATED	\$7,486,815			
18					
19	SECTION 9. APPROPRIATION - FEDERAL VETERANS APPROVING	AGENCY. There is			
20	hereby appropriated, to the Department of Career Education, to be payable				
21	from the federal funds as designated by the Chief Fiscal Officer of the				
22	State, for personal services and operating expenses of the Department of				
23	Career Education - Federal Veterans Approving Agency for the	e fiscal year			
24	ending June 30, 2012, the following:				
25					
26	ITEM	FISCAL YEAR			
27	NO.	2011-2012			
28	(01) REGULAR SALARIES	\$171,210			
29	(02) PERSONAL SERVICES MATCHING	55,933			
30	(03) MAINT. & GEN. OPERATION				
31	(A) OPER. EXPENSE	53,546			
32	(B) CONF. & TRAVEL	9,623			
33	(C) PROF. FEES	600			
34	(D) CAP. OUTLAY	0			
35	(E) DATA PROC.	0			
36	TOTAL AMOUNT APPROPRIATED	\$290,912			

1					
2	SECTION 10. APPROPRIATION - FEDERAL EQUIPMENT AND TRAIL	NING. There is			
3	hereby appropriated, to the Department of Career Education, to be payable				
4	from the federal funds as designated by the Chief Fiscal Off	icer of the			
5	State, for operating expenses of the Department of Career Ed	ucation - Federal			
6	Equipment and Training for the fiscal year ending June 30, 20	012, the			
7	following:				
8					
9	ITEM	FISCAL YEAR			
10	NO.	2011-2012			
11	(01) MAINT. & GEN. OPERATION				
12	(A) OPER. EXPENSE	\$6,000			
13	(B) CONF. & TRAVEL	0			
14	(C) PROF. FEES	0			
15	(D) CAP. OUTLAY	0			
16	(E) DATA PROC.	0			
17	TOTAL AMOUNT APPROPRIATED	\$6,000			
18					
19	SECTION 11. APPROPRIATION - CONSTRUCTION INDUSTRY CRAF	T TRAINING			
20	PROGRAM. There is hereby appropriated, to the Department of	Career			
21	Education, to be payable from the Arkansas Construction Indus	stry Craft			
22	Training Trust Fund, for personal services, operating expense	es and grants by			
23	the Department of Career Education - Construction Industry C	raft Training			
24	Program for the fiscal year ending June 30, 2012, the follows	ing:			
25					
26	ITEM	FISCAL YEAR			
27	NO.	2011-2012			
28	(01) REGULAR SALARIES	\$48,534			
29	(02) PERSONAL SERVICES MATCHING	15,151			
30	(03) MAINT. & GEN. OPERATION				
31	(A) OPER. EXPENSE	12,000			
32	(B) CONF. & TRAVEL	7,500			
33	(C) PROF. FEES	0			
34	(D) CAP. OUTLAY	0			
35	(E) DATA PROC.	0			
36	(04) GRANTS TO CONSTRUCTION INDUSTRY CRAFT				

1	TRAINING PROGRAM	800,000
2	TOTAL AMOUNT APPROPRIATED	\$883,185
3		
4	SECTION 12. APPROPRIATION - ALTERNATIVE RETIREMENT PRO	GRAM - CASH.
5	There is hereby appropriated, to the Department of Career Ed	ucation, to be
6	payable from cash funds as defined by Arkansas Code 19-4-801	of the
7	Department of Career Education, for personal services and op	erating expenses
8	of the Department of Career Education - Alternative Retireme	nt Program - Cash
9	for the fiscal year ending June 30, 2012, the following:	
10		
11	ITEM	FISCAL YEAR
12	NO.	2011-2012
13	(01) PERSONAL SERVICES MATCHING	\$110,222
14	(02) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	12,300
16	(B) CONF. & TRAVEL	0
17	(C) PROF. FEES	0
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	0
20	TOTAL AMOUNT APPROPRIATED	\$122,522
21		
22	SECTION 13. APPROPRIATION - HOUSING CONSTRUCTION PROGR.	AM. There is
23	hereby appropriated, to the Department of Career Education,	to be payable
24	from the Building Trades Revolving Fund, for loans to Second	ary Area
25	Technical Centers or other eligible entities, for the purcha	se of building
26	materials, supplies, and fixtures to be used in the construc	tion of a single
27	family dwelling unit or other non-residential building proje	ct through the
28	Housing Construction Program of the Department of Career Edu	cation for the
29	fiscal year ending June 30, 2012, the following:	
30		
31	ITEM	FISCAL YEAR
32	NO.	2011-2012
33	(01) LOANS	\$164,807
34		
35	SECTION 14. APPROPRIATION - LAW ENFORCEMENT SAFETY OFF	ICE - CASH.
36	There is hereby appropriated, to the Department of Career Ed	ucation, to be

1	payable from the cash fund deposited in the State Treasury as determined by
2	the Chief Fiscal Officer of the State, for operating expenses of the
3	Department of Career Education - Law Enforcement Safety Office - Cash for the
4	fiscal year ending June 30, 2012, the following:
5	
6	ITEM FISCAL YEAR
7	NO. 2011-2012
8	(01) LAW ENFORCEMENT SAFETY PROGRAM \$15,000
9	
10	SECTION 15. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY.
11	There is hereby appropriated, to the Department of Career Education, to be
12	payable from the Department of Workforce Education Public School Fund
13	Account, for personal services, operating expenses, and grants by the
14	Department of Career Education - Governor's Commission on Adult Literacy for
15	the fiscal year ending June 30, 2012, the following:
16	
17	ITEM FISCAL YEAR
18	_NO. 2011-2012
19	(01) REGULAR SALARIES \$29,752
20	(02) PERSONAL SERVICES MATCHING 9,380
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.
27	(04) GRANTS TO LITERACY COUNCILS 675,000
28	TOTAL AMOUNT APPROPRIATED \$772,379
29	
30	SECTION 16. APPROPRIATION - ADULT BASIC AND GENERAL ADULT EDUCATION.
31	There is hereby appropriated, to the Department of Career 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 Career Education for the fiscal year ending June 30, 2012, the
35	following:
26	

As Engrossed: H3/24/11 HB1290

1	ITEM	FISCAL YEAR
2	NO.	2011-2012
3	(01) ADULT BASIC & GENERAL ADULT EDUCATION	\$19,860,569
5	SECTION 17. APPROPRIATION - COORDINATED CAREER EDUC	ATION SERVICES.
6	There is hereby appropriated, to the Department of Career	Education, to be
7	payable from the Department of Workforce Education Public	School Fund
8	Account, for Coordinated Career Education Services - Spec	ial Needs Students
9	Program grants and aid by the Department of Career Educat	ion for the fiscal
.0	year ending June 30, 2012, the following:	
1	ITEM	FISCAL YEAR
.3	NO.	2011-2012
.4	(01) COORDINATED CAREER EDUCATION	
.5	SERVICES-SPECIAL NEEDS STUDENTS	
6	PROGRAM GRANTS & AID	\$1,119,433
7		
.8	SECTION 18. APPROPRIATION - VOCATIONAL CENTER AID.	There is hereby
.9	appropriated, to the Department of Career Education, to b	·
20	Department of Workforce Education Public School Fund Acco	
21	Center grants and aid by the Department of Career Educati	
22	Center Aid for the fiscal year ending June 30, 2012, the	
23		
24	ITEM	FISCAL YEAR
25	NO.	2011-2012
6	(01) VOCATIONAL CENTER GRANTS AND AID	\$20,136,383
7		
8	SECTION 19. APPROPRIATION - VOCATIONAL START-UP GRA	NTS AND AID. There
9	is hereby appropriated, to the Department of Career Educa	tion, to be payable
0	from the Department of Workforce Education Public School	Fund Account, for
1	Vocational Start-Up grants and aid by the Department of C	areer Education for
2	the fiscal year ending June 30, 2012, the following:	
3		
34	ITEM	FISCAL YEAR
, 4		
35	NO.	2011-2012

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2010 2011 through June 30, 2011 2012.

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL MATCHING. The funds appropriated in Sections for Adult Basic and General Adult Education, Coordinated Career Education Services, Vocational Center Aid and Vocational Start-up Grants and Aid of this Act may also be used to match any available federal funds from any agency in order to provide the maximum amount of money possible for the purposes enumerated in such section.

The provisions of this section shall be in effect only from July 1, 2010 2011 through June 30, 2011 2012.

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

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

EDUCATIONAL TRAINING/RETRAINING. Of the funds and appropriation authorized by Item (01) in the section of this Act for Adult Basic and General Adult Education, a sum of \$300,000 each fiscal year shall be made available to eligible entities approved by the State Board of Career Education, in order to expand the vocational education and training opportunities available to area citizens in need of adult educational training or retraining due to changing technology.

The provisions of this section shall be in effect only from July 1,

Further, if the appropriation is not fully funded due to a decrease in the official revenue forecast or the available carryover balance of the Department of Workforce Education Public School Fund Account, the Department of Career Education may reduce proportionally the amount made available to eligible entities approved by the State Board of Career Education in order to

1 expand the vocational education and training opportunities to area citizens 2 in need of adult educational training or retraining due to changing 3 technology. 4 The provisions of this section shall be in effect only from July 1, 5 2010 2011 through June 30, 2011 2012. 6 7 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT 9 EDUCATION DISTRIBUTION. All funds that become available for Adult Education shall first be distributed to those administrative units determined to be 10 11 operating efficient and effective adult education programs, under criteria 12 established by the State Board of Career Education. The criteria shall 13 include the relative efficiency of administration of the program in the 14 counties served and achievement of federal performance indicators. The State 15 Board of Career Education shall promulgate rules and regulations for the 16 distribution of funds in accordance with criteria to be determined by the 17 Board. In the distribution of funds to local units the Board shall consider 18 the literacy rate in each county and performance in meeting state and federal 19 performance indicators. For the purposes of this Section, the term "literacy 20 rate" shall be determined by the number of adults completing less than the 21 twelfth grade as reported by the most recent decennial federal census. 22 Unallocated funds will be redistributed based upon need as determined by the 23 State Board of Career Education. The provisions of this section shall be in effect only from July 1, 24 25 2010 2011 through June 30, 2011 2012. SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 28 29

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OF FUNDS - PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish, upon request from the Department of Career Education, a special appropriation line item to be used in the acquisition of promotional items. When the Department of Career Education wishes to transfer monies from its operating expenses appropriation to the Promotional Items line, the State Board of Career Education shall approve the request and forward it after receiving prior review and approval by the Arkansas Legislative Council or Joint Budget Committee, to the Chief Fiscal Officer of the State for

l processing.

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

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SECTION 25. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

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Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

HB1290

As Engrossed: H3/24/11 HB1290

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2	SECTION 27. EMERGENCY CLAUSE. It is found and determined by the
3	General Assembly, that the Constitution of the State of Arkansas prohibits
4	the appropriation of funds for more than a one (1) year period; that the
5	effectiveness of this Act on July 1, 2011 is essential to the operation of
6	the agency for which the appropriations in this Act are provided, and that in
7	the event of an extension of the legislative session, the delay in the
8	effective date of this Act beyond July 1, 2011 could work irreparable harm
9	upon the proper administration and provision of essential governmental
10	programs. Therefore, an emergency is hereby declared to exist and this Act
11	being necessary for the immediate preservation of the public peace, health
12	and safety shall be in full force and effect from and after July 1, 2011.
13	
14	/s/Joint Budget Committee
15	
16	
17	APPROVED: 04/01/2011
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