A Bill

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES AND FOR GRANTS AND AID TO
LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE
DEPARTMENT OF CAREER EDUCATION FOR THE FISCAL YEAR
ENDING JUNE 30, 2020; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF CAREER
EDUCATION APPROPRIATION FOR THE 2019-2020
FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the
Department of Career Education for the 2019-2020 fiscal year, the following
maximum number of regular employees.

<table>
<thead>
<tr>
<th>Item</th>
<th>Class Code</th>
<th>Title</th>
<th>No. of Employees</th>
<th>Maximum Annual Salary Rate</th>
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<tr>
<td>31</td>
<td>U061U</td>
<td>ACE DIRECTOR</td>
<td>1</td>
<td>GRADE SE03</td>
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<td>ACE DEPUTY DIRECTOR</td>
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<td>GRADE SE01</td>
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<td>33</td>
<td>U077U</td>
<td>ACE DEPUTY DIRECTOR CAREER &amp; TECH ED</td>
<td>1</td>
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<td>G010C</td>
<td>ACE DIVISION MANAGER</td>
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<td>ASSISTANT CONTROLLER</td>
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<td>36</td>
<td>E061C</td>
<td>ACE PROGRAM COORDINATOR</td>
<td>16</td>
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CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER 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 Career Education and Workforce Development Board 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 processing.

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.

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

SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. Upon approval from the Chief Fiscal Officer of the State, the Department of Career Education may make a one-time transfer in an amount not to exceed four hundred fifty thousand dollars ($450,000) from the Alternative Retirement Program Cash Fund to the Public School Career Education Fund Account for Vocational Start-up Grants and Aid.
The provisions of this section shall be in effect only from July 1, 2019 through June 30, 2020.

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

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

SECTION 30. 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.

SECTION 31. LEGISLATIVE INTENT. It is the intent of the General 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.

SECTION 32. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of