

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/10/05 H3/18/05 H3/29/05

A Bill

HOUSE BILL 1555

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 AIDS TO LOCAL SCHOOL DISTRICTS AND SPECIAL
12 PROGRAMS FOR THE DEPARTMENT OF WORKFORCE
13 EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30,
14 2007; AND FOR OTHER PURPOSES.
15

Subtitle

16
17
18 AN ACT FOR THE DEPARTMENT OF WORKFORCE
19 EDUCATION APPROPRIATION FOR THE
20 2005-2007 BIENNIUM.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. REGULAR SALARIES. There is hereby established for the
26 Department of Workforce Education for the 2005-2007 biennium, the following
27 maximum number of regular employees whose salaries shall be governed by the
28 provisions of the Uniform Classification and Compensation Act (Arkansas Code
29 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
30 Provided, however, that any position to which a specific maximum annual
31 salary is set out herein in dollars, shall be exempt from the provisions of
32 said Uniform Classification and Compensation Act. All persons occupying
33 positions authorized herein are hereby governed by the provisions of the
34 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
35 or its successor.
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Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2005-2006	2006-2007
5	(1) 9795	ED DIR - VOCATION TECH DIVISION	1	\$125,038	\$127,823
6	(2) 9052	ED DEP DIR CAREER & TECH EDUC	1	\$90,711	\$92,981
7	(3) 9756	DEPUTY DIR VO-TECH EDUCATION	1	\$90,710	\$92,980
8	(4) 9088	SCHOOL FOR WORK COORDINATOR	1	\$63,114	\$64,863
9	(5) 7092	DIR, GOV COMM ON ADULT LITERACY	1	\$61,909	\$63,635
10	(6) 100Z	VOC ED ASSOC DIR FOR VOC SCHOOLS	1	GRADE 26	
11	(7) 105Z	VOC ED ASSOC DIR FOR FINANCE	1	GRADE 26	
12	(8) 218Z	ED ASSOC DIR VOC SUPPORT SERVICES	1	GRADE 26	
13	(9) 845Z	ED COORD ADULT ED PROGRAMS	1	GRADE 23	
14	(10) 143Z	FED SURPLUS PROPERTY MGR	1	GRADE 23	
15	(11) A123	ED INTERNAL AUDITOR	1	GRADE 23	
16	(12) E102	ED CURRICULUM SUPV-VOCATIONAL	1	GRADE 23	
17	(13) A047	GENERAL FINANCE COORDINATOR	1	GRADE 22	
18	(14) 840Z	ED VOC ED PROGRAM SUPPORT MGR	14	GRADE 22	
19	(15) A008	ACCOUNTING SUPERVISOR II	2	GRADE 21	
20	(16) R028	ED PROGRAM ANALYST	1	GRADE 21	
21	(17) R137	ED INTERNAL SERVICES MANAGER	1	GRADE 21	
22	(18) R290	PUBLIC SCHOOL PROGRAM ADVISOR	29	GRADE 21	
23	(19) R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21	
24	(20) V080	MGR PURCHASING & PROPERTY MGT	1	GRADE 21	
25	(21) V066	FED SURPLUS PROPERTY SUPERVISOR	1	GRADE 20	
26	(22) V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18	
27	(23) R035	ED VOC ED EXECUTIVE ASSISTANT	1	GRADE 18	
28	(24) A111	ACCOUNTANT	2	GRADE 18	
29	(25) R010	ADMINISTRATIVE ASSISTANT II	6	GRADE 17	
30	(26) V018	SURPLUS PROP INVENTORY CONTROL MGR	1	GRADE 17	
31	(27) R166	GRANTS COORDINATOR I	1	GRADE 17	
32	(28) V053	SURPLUS PROPERTY AGENT	7	GRADE 16	
33	(29) V070	FED SURPLUS PROP UTILIZATION INSP	1	GRADE 16	
34	(30) A063	PAYROLL OFFICER	1	GRADE 15	
35	(31) A108	ACCOUNTING TECHNICIAN II	4	GRADE 15	
36	(32) K153	SECRETARY II	18	GRADE 13	

1	(33) Y083 PRINTER I	1	GRADE 13
2	(34) A106 ACCOUNTING TECHNICIAN I	<u>1</u>	GRADE 12
3	MAX. NO. OF EMPLOYEES	108	

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5 SECTION 2. *EXTRA HELP – VOCATIONAL, TECHNICAL AND ADULT EDUCATION.* There
 6 is hereby authorized, for the Department of Workforce Education for the 2005-
 7 2007 biennium, the following maximum number of part-time or temporary
 8 employees, to be known as "Extra Help", payable from funds appropriated
 9 herein for such purposes: *forty seven (47)* temporary or part-time employees,
 10 when needed, at rates of pay not to exceed those provided in the Uniform
 11 Classification and Compensation Act, or its successor, or this act for the
 12 appropriate classification.

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14 SECTION 3. *APPROPRIATION - VOCATIONAL, TECHNICAL AND ADULT EDUCATION.*
 15 *There is hereby appropriated, to the Department of Workforce Education, to be*
 16 *payable from the Department of Workforce Education Fund Account, for personal*
 17 *services and operating expenses of the Department of Workforce Education -*
 18 *Vocational, Technical and Adult Education for the biennial period ending June*
 19 *30, 2007, the following:*

21	ITEM	FISCAL YEARS	
22	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
23	(01) REGULAR SALARIES	\$ 2,423,707	\$ 2,493,402
24	(02) EXTRA HELP	3,923	3,923
25	(03) PERSONAL SERVICES MATCHING	750,738	765,996
26	(04) MAINT. & GEN. OPERATION		
27	(A) OPER. EXPENSE	552,893	552,893
28	(B) CONF. & TRAVEL	2,751	2,751
29	(C) PROF. FEES	0	0
30	(D) CAP. OUTLAY	0	0
31	(E) DATA PROC.	120,014	120,014
32	(05) APPRENTICESHIP PROGRAM	<u>1,950,000</u>	<u>1,950,000</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,804,026</u>	<u>\$ 5,888,979</u>

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35 SECTION 4. *APPROPRIATION - ADULT BASIC EDUCATION.* There is hereby
 36 *appropriated, to the Department of Workforce Education, to be payable from*

1 the Department of Workforce Education Fund Account, for personal services and
 2 operating expenses of the Department of Workforce Education - Adult Basic
 3 Education for the biennial period ending June 30, 2007, the following:

4		FISCAL YEARS	
5	ITEM		
6	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
7	(01) REGULAR SALARIES	\$ 287,255	\$ 295,304
8	(02) PERSONAL SERVICES MATCHING	88,263	90,008
9	(03) MAINT. & GEN. OPERATION		
10	(A) OPER. EXPENSE	25,000	25,000
11	(B) CONF. & TRAVEL	0	0
12	(C) PROF. FEES	0	0
13	(D) CAP. OUTLAY	0	0
14	(E) DATA PROC.	<u>0</u>	<u>0</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$ 400,518</u>	<u>\$ 410,312</u>

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17 SECTION 5. APPROPRIATION - VO-TECH ADVISORY COUNCIL. There is hereby
 18 appropriated, to the Department of Workforce Education, to be payable from
 19 the Miscellaneous Agencies Fund Account, for operating expenses of the
 20 Department of Workforce Education - Vo-Tech Advisory Council for the biennial
 21 period ending June 30, 2007, the following:

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23	ITEM	FISCAL YEARS	
24	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
25	(01) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE	\$ 15,864	\$ 15,864
27	(B) CONF. & TRAVEL	0	0
28	(C) PROF. FEES	0	0
29	(D) CAP. OUTLAY	0	0
30	(E) DATA PROC.	<u>0</u>	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 15,864</u>	<u>\$ 15,864</u>

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33 SECTION 6. APPROPRIATION - HIGH-TECH SCHOLARSHIP AWARD PROGRAM. There is
 34 hereby appropriated, to the Department of Workforce Education, to be payable
 35 from the Department of Workforce Education Fund Account, for scholarships of
 36 the Department of Workforce Education - High-Tech Scholarship Award Program

1 for the biennial period ending June 30, 2007, the following:

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3 ITEM	4 FISCAL YEARS	
4 NO.	2005-2006	2006-2007
5 (01) SCHOLARSHIPS	\$ 9,000	\$ 9,000

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7 SECTION 7. APPROPRIATION - FEDERAL VOCATIONAL, TECHNICAL AND ADULT
 8 EDUCATION. There is hereby appropriated, to the Department of Workforce
 9 Education, to be payable from the federal funds as designated by the Chief
 10 Fiscal Officer of the State, for personal services, operating expenses and
 11 grants of the Department of Workforce Education - Federal Vocational,
 12 Technical and Adult Education for the biennial period ending June 30, 2007,
 13 the following:

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15 ITEM	16 FISCAL YEARS	
16 NO.	2005-2006	2006-2007
17 (01) REGULAR SALARIES	\$ 518,179	\$ 533,699
18 (02) EXTRA HELP	5,000	5,000
19 (03) PERSONAL SERVICES MATCHING	176,048	179,471
20 (04) MAINT. & GEN. OPERATION		
21 (A) OPER. EXPENSE	500,500	500,500
22 (B) CONF. & TRAVEL	46,175	46,175
23 (C) PROF. FEES	748,350	748,350
24 (D) CAP. OUTLAY	0	0
25 (E) DATA PROC.	43,436	43,436
26 (05) VOCATIONAL EDUCATION GRANTS	<u>14,900,000</u>	<u>14,900,000</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 16,937,688</u>	<u>\$ 16,956,631</u>

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29 SECTION 8. EXTRA HELP - FEDERAL VOCATIONAL, TECHNICAL AND ADULT EDUCATION.
 30 There is hereby authorized, for the Department of Workforce Education -
 31 Federal Vocational, Technical and Adult Education for the 2005-2007 biennium,
 32 the following maximum number of part-time or temporary employees, to be known
 33 as "Extra Help", payable from funds appropriated herein for such purposes:
 34 fifteen (15) temporary or part-time employees, when needed, at rates of pay
 35 not to exceed those provided in the Uniform Classification and Compensation
 36 Act, or its successor, or this act for the appropriate classification.

SECTION 9. APPROPRIATION - FEDERAL SURPLUS PROPERTY PROGRAM. There is hereby appropriated, to the Department of Workforce Education, to be payable from the Federal Surplus Property Fund, for personal services and operating expenses of the Department of Workforce Education - Federal Surplus Property Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 467,834	\$ 481,772
(02) EXTRA HELP	12,000	12,000
(03) PERSONAL SERVICES MATCHING	169,923	172,996
(04) OVERTIME	20,000	20,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,140,246	1,140,246
(B) CONF. & TRAVEL	15,000	15,000
(C) PROF. FEES	45,263	5,263
(D) CAP. OUTLAY	150,000	90,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,020,266</u>	<u>\$ 1,937,277</u>

SECTION 10. EXTRA HELP - FEDERAL SURPLUS PROPERTY PROGRAM. There is hereby authorized, for the Department of Workforce Education - Federal Surplus Property Program for the 2005-2007 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: four (4) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 11. APPROPRIATION - FEDERAL JTPA VOCATIONAL EDUCATION. There is hereby appropriated, to the Department of Workforce Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Workforce Education - Federal JTPA Vocational Education for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 202,267	\$ 208,314
(02) EXTRA HELP	62,400	62,400
(03) PERSONAL SERVICES MATCHING	68,796	70,129
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	161,825	161,825
(B) CONF. & TRAVEL	1,921	1,921
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 497,209</u>	<u>\$ 504,589</u>

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15 SECTION 12. EXTRA HELP - FEDERAL JTPA VOCATIONAL EDUCATION. There is
 16 hereby authorized, for the Department of Workforce Education - Federal JTPA
 17 Vocational Education for the 2005-2007 biennium, the following maximum number
 18 of part-time or temporary employees, to be known as "Extra Help", payable
 19 from funds appropriated herein for such purposes: thirteen (13) temporary or
 20 part-time employees, when needed, at rates of pay not to exceed those
 21 provided in the Uniform Classification and Compensation Act, or its
 22 successor, or this act for the appropriate classification.

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24 SECTION 13. APPROPRIATION - FEDERAL ADULT BASIC EDUCATION. There is hereby
 25 appropriated, to the Department of Workforce Education, to be payable from
 26 the federal funds as designated by the Chief Fiscal Officer of the State, for
 27 personal services, operating expenses and grants of the Department of
 28 Workforce Education - Federal Adult Basic Education for the biennial period
 29 ending June 30, 2007, the following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 163,796	\$ 168,537
(02) PERSONAL SERVICES MATCHING	47,620	48,666
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	77,467	77,467

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1	(B) CONF. & TRAVEL	7,700	7,700
2	(C) PROF. FEES	9,000	9,000
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	0	0
5	(04) ADULT BASIC EDUCATION GRANTS	<u>8,008,048</u>	<u>8,008,048</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,313,631</u>	<u>\$ 8,319,418</u>

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 8 SECTION 14. APPROPRIATION - FEDERAL VETERAN'S APPROVING AGENCY. There is
 9 hereby appropriated, to the Department of Workforce Education, to be payable
 10 from the federal funds as designated by the Chief Fiscal Officer of the
 11 State, for personal services and operating expenses of the Department of
 12 Workforce Education - Federal Veteran's Approving Agency for the biennial
 13 period ending June 30, 2007, the following:

15	ITEM	FISCAL YEARS	
16	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
17	(01) REGULAR SALARIES	\$ 119,511	\$ 122,994
18	(02) PERSONAL SERVICES MATCHING	37,861	38,628
19	(03) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	27,546	27,546
21	(B) CONF. & TRAVEL	5,623	5,623
22	(C) PROF. FEES	600	600
23	(D) CAP. OUTLAY	0	0
24	(E) DATA PROC.	<u>0</u>	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 191,141</u>	<u>\$ 195,391</u>

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 27 SECTION 15. APPROPRIATION - FEDERAL EQUIPMENT AND TRAINING. There is
 28 hereby appropriated, to the Department of Workforce Education, to be payable
 29 from the federal funds as designated by the Chief Fiscal Officer of the
 30 State, for operating expenses of the Department of Workforce Education -
 31 Federal Equipment and Training for the biennial period ending June 30, 2007,
 32 the following:

34	ITEM	FISCAL YEARS	
35	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
36	(01) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	\$	1,000	\$	1,000
2	(B) CONF. & TRAVEL		0		0
3	(C) PROF. FEES		0		0
4	(D) CAP. OUTLAY		0		0
5	(E) DATA PROC.		<u>0</u>		<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	\$	<u>1,000</u>	\$	<u>1,000</u>

SECTION 16. APPROPRIATION - CONSTRUCTION INDUSTRY CRAFT TRAINING PROGRAM.

There is hereby appropriated, to the Department of Workforce Education, to be payable from the Arkansas Construction Industry Craft Training Trust Fund, for personal services, operating expenses and grants of the Department of Workforce Education - Construction Industry Craft Training Program for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) REGULAR SALARIES	\$ 40,704	\$ 41,925
(02) PERSONAL SERVICES MATCHING	12,812	13,081
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	12,000	12,000
(B) CONF. & TRAVEL	7,500	7,500
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) GRANTS TO CONSTRUCTION INDUSTRY CRAFT TRAINING PROGRAM	<u>400,000</u>	<u>400,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 473,016</u>	<u>\$ 474,506</u>

SECTION 17. APPROPRIATIONS - ALTERNATIVE RETIREMENT PROGRAM - CASH. There

is hereby appropriated, to the Department of Workforce Education, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Workforce Education, for personal services and operating expenses of the Department of Workforce Education - Alternative Retirement Program - Cash for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
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<u>NO.</u>		<u>2005-2006</u>	<u>2006-2007</u>
(01)	PERSONAL SERVICES MATCHING	\$ 110,222	\$ 110,222
(02)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	12,300	12,300
(B)	CONF. & TRAVEL	0	0
(C)	PROF. FEES	0	0
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	<u>0</u>	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 122,522</u>	<u>\$ 122,522</u>

SECTION 18. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY. There is hereby appropriated, to the Department of Workforce Education, to be payable from the Department of Workforce Education Public School Fund Account, for personal services, operating expenses and grants of the Department of Workforce Education - Governor's Commission on Adult Literacy for the biennial period ending June 30, 2007, the following:

<u>ITEM</u>		<u>FISCAL YEARS</u>	
<u>NO.</u>		<u>2005-2006</u>	<u>2006-2007</u>
(01)	REGULAR SALARIES	\$ 27,522	\$ 28,320
(02)	PERSONAL SERVICES MATCHING	7,985	8,159
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	52,242	52,242
(B)	CONF. & TRAVEL	6,005	6,005
(C)	PROF. FEES	0	0
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	0	0
(04)	GRANTS TO LITERACY COUNCILS	<u>675,000</u>	<u>675,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 768,754</u>	<u>\$ 769,726</u>

SECTION 19. APPROPRIATION - ADULT BASIC & GENERAL ADULT EDUCATION. There is hereby appropriated, to the Department of Workforce Education, to be payable from the Department of Workforce Education Public School Fund Account, for Adult Basic and General Adult Education Grants and Aids of the Department of Workforce Education for the biennial period ending June 30, 2007, the following:

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<i>ITEM</i>	<i>FISCAL YEARS</i>	
<u><i>NO.</i></u>	<u><i>2005-2006</i></u>	<u><i>2006-2007</i></u>
<i>(01) ADULT BASIC & GENERAL ADULT EDUCATION</i>	<u><i>\$ 19,300,000</i></u>	<u><i>\$ 19,300,000</i></u>

SECTION 20. 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 Aids of the Department of Workforce Education for the biennial period ending June 30, 2007, the following:

<i>ITEM</i>	<i>FISCAL YEARS</i>	
<u><i>NO.</i></u>	<u><i>2005-2006</i></u>	<u><i>2006-2007</i></u>
<i>(01) COORDINATED CAREER EDUCATION SERVICES-SPECIAL NEEDS STUDENTS PROGRAM GRANTS & AID</i>	<u><i>\$ 1,119,433</i></u>	<u><i>\$ 1,119,433</i></u>

SECTION 21. 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 Aids of the Department of Workforce Education for the biennial period ending June 30, 2007, the following:

<i>ITEM</i>	<i>FISCAL YEARS</i>	
<u><i>NO.</i></u>	<u><i>2005-2006</i></u>	<u><i>2006-2007</i></u>
<i>(01) VOCATIONAL CENTER GRANTS AND AID</i>	<u><i>\$ 11,336,383</i></u>	<u><i>\$ 11,336,383</i></u>

SECTION 22. APPROPRIATION - VOCATIONAL START-UP GRANTS AND AIDS. 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 of the Department of Workforce Education for the biennial period ending June 30, 2007, the following:

<i>ITEM</i>	<i>FISCAL YEARS</i>	
<u><i>NO.</i></u>	<u><i>2005-2006</i></u>	<u><i>2006-2007</i></u>
<i>(01) VOCATIONAL START-UP GRANTS AND AID</i>	<u><i>\$ 2,370,000</i></u>	<u><i>\$ 2,370,000</i></u>

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2 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL
4 MATCHING. The funds appropriated in *Sections 19, 20, 21 and 22* of this Act
5 may also be used to match any available federal funds from any agency in
6 order to provide the maximum amount of money possible for the purposes
7 enumerated in such section.

8 The provisions of this section shall be in effect only from July 1, 2003
9 2005 through June 30, ~~2005~~ 2007.

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11 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
13 VOCATIONAL START-UP. The funds and appropriations contained herein for
14 Vocational *Start-Up* shall be allocated in accordance with rules and
15 regulations established by the State Board of Workforce Education and Career
16 Opportunities, after the rules and regulations have undergone a prior review
17 and approval by the Administrative Rules and Regulations Subcommittee of the
18 Arkansas Legislative Council or Joint Budget Committee.

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

35 The provisions of this section shall be in effect only from July 1, 2003
36 2005 through June 30, ~~2005~~ 2007.

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2 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

4 EDUCATIONAL TRAINING/RETRAINING. Of the funds and appropriation authorized by
5 *Item (01) in Section 19 of this Act* for Adult Basic and General Adult
6 *Education*, a sum of \$300,000 each fiscal year shall be made available to
7 eligible entities approved by the State Board of Workforce Education and
8 Career Opportunities, in order to expand the vocational education and
9 training opportunities available to area citizens in need of adult
10 educational training or retraining due to changing technology.

11 Further, if the appropriation is not fully funded due to a decrease in
12 the official revenue forecast or the available carryover balance of the
13 Department of Workforce Education Public School Fund Account, the Department
14 of Workforce Education may reduce proportionally the amount made available to
15 eligible entities approved by the State Board of Workforce Education and
16 Career Opportunities in order to expand the vocational education and training
17 opportunities to area citizens in need of adult educational training or
18 retraining due to changing technology.

19 The provisions of this section shall be in effect only from July 1, ~~2003~~
20 2005 through June 30, ~~2005~~ 2007.

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22 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL
24 JTPA VOCATIONAL EDUCATION. No employee of the Department of Workforce
25 Education, who is employed as "extra help" by the Dislocated Workers ~~Program~~
26 Task Force may receive an amount to exceed eighty-five percent (85%) of the
27 maximum annual salary for a comparable position as authorized under Arkansas
28 Code 21-5-201 et. seq. during any fiscal year, nor shall such employee be
29 employed for a period of time to exceed fourteen hundred (1400) hours in any
30 single fiscal year.

31 The provisions of this section shall be in effect only from July 1, ~~2003~~
32 2005 through June 30, ~~2005~~ 2007.

33
34 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORK
36 FORCE 2000 DISTRIBUTION. After the amounts to be made available to the

1 various technical institutes or comprehensive lifelong learning centers have
2 been determined as set out in Arkansas Code 26-51-205(d)(2), such documents
3 as may be necessary shall be processed so that funds may be transferred from
4 the Work Force 2000 Development Fund to the State Treasury fund or fund
5 account from which the technical institute or comprehensive lifelong learning
6 center draws its general revenue support. Such funds as may be transferred
7 shall not exceed ~~25.55%~~ 6.309% of the total funds available from the Work
8 Force 2000 Development Fund during each fiscal year of the biennial period
9 ending June 30, ~~2005~~ 2007.

10 In the event that a technical college, community college or educational
11 institution which receives support from the Work Force 2000 Development Fund
12 as determined by law transfers from the Arkansas Technical College and
13 Community College System for which Work Force 2000 Development Fund monies
14 are determined by law, then the actual amount of support from the Work Force
15 2000 Development Fund in the preceding fiscal year for such educational
16 institution shall be made available irrespective of any other provision of
17 law which sets out maximum levels of support from such fund.

18 The provisions of this section shall be in effect only from July 1, ~~2003~~
19 2005 through June 30, ~~2005~~ 2007.

20

21 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT
23 EDUCATION DISTRIBUTION. All funds that become available for Adult Education
24 shall first be distributed to those administrative units determined to be
25 operating efficient and effective adult education programs, under criteria
26 established by the State Board of Workforce Education and Career
27 Opportunities. The criteria shall include the relative efficiency of
28 administration of the program in the counties served and achievement of
29 federal performance indicators. The State Board of Workforce Education and
30 Career Opportunities shall promulgate rules and regulation for the
31 distribution of funds in accordance with criteria to be determined by the
32 Board. In the distribution of funds to local units the Board shall consider
33 the literacy rate in each county and performance in meeting state and federal
34 performance indicators. For the purposes of this Section, the term "literacy
35 rate" shall be determined by the number of adults completing less than the
36 twelfth grade as reported by the most recent decennial federal census.

1 Unallocated funds will be redistributed based upon need as determined by the
2 State Board of Workforce Education and Career Opportunities.

3 The provisions of this section shall be in effect only from July 1, 2003
4 2005 through June 30, ~~2005~~ 2007.

5
6 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 APPROPRIATIONS CARRYOVER PROVISION. An appropriation received by the various
9 technical institutes ~~or comprehensive lifelong learning centers~~ to support
10 funds received from the Workforce 2000 Development Fund and which remains at
11 the end of any fiscal year shall carry forward into the next fiscal year.

12 The provisions of this section shall be in effect only from July 1, 2003
13 2005 through June 30, ~~2005~~ 2007.

14
15 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

17 OF FUNDS. The Chief Fiscal Officer of the State shall establish, upon request
18 from the Department of Workforce Education, a special appropriation line item
19 to be used in the acquisition of promotional items. When the Department of
20 Workforce Education wishes to transfer monies from its operating expenses
21 appropriation to the Promotional Items line, the State Board of Workforce
22 Education and Career Opportunities shall approve the request and forward it
23 after receiving prior review and approval by the Arkansas Legislative Council
24 or Joint Budget Committee, to the Chief Fiscal Officer of the State for
25 processing.

26 Determining the maximum number of employees and the maximum amount of
27 appropriation and general revenue funding for a state agency each fiscal year
28 is the prerogative of the General Assembly. This is usually accomplished by
29 delineating such maximums in the appropriation act(s) for a state agency and
30 the general revenue allocations authorized for each fund and fund account by
31 amendment to the Revenue Stabilization law. Further, the General Assembly
32 has determined that the Department of Workforce Education may operate more
33 efficiently if some flexibility is provided to the Department of Workforce
34 Education authorizing broad powers under this Section. Therefore, it is both
35 necessary and appropriate that the General Assembly maintain oversight by
36 requiring prior approval of the Legislative Council or Joint Budget Committee

1 as provided by this section. The requirement of approval by the Legislative
2 Council or Joint Budget Committee is not a severable part of this section.
3 If the requirement of approval by the Legislative Council or Joint Budget
4 Committee is ruled unconstitutional by a court of competent jurisdiction,
5 this entire section is void.

6

7 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITION
9 FUNDING RESTRICTION. One position of Surplus Property Inventory Control
10 Manager, two positions of Surplus Property Agent, and one position of
11 Secretary II authorized in this Act that are assigned to the Federal Surplus
12 Property Program are to be paid solely from fees generated by the program.

13 The provisions of this section shall be in effect only from July 1, ~~2003~~
14 2005 through June 30, ~~2005~~ 2007.

15

16 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
18 BALANCES. VOCATIONAL TECHNICAL RETIREMENT CASH FUND. (A) For all
19 appropriations as provided in this Act, the agency disbursing officer shall
20 monitor the level of fund balances in relation to expenditures on a monthly
21 basis. If any proposed expenditures would cause the Vocational Technical
22 Retirement Cash Fund to decline below Eighty One Thousand Five Hundred Thirty
23 Dollars (\$81,530), the disbursing officer shall immediately notify the
24 executive head of the agency. Prior to any obligations being made under
25 these circumstances, the agency head shall file written documentation with
26 the Chief Fiscal Officer of the State requesting approval of the
27 expenditures. Such documentation shall provide sufficient financial data to
28 justify the expenditures and shall include the following:

- 29 1) a plan that clearly indicates the specific fiscal impact of such
30 expenditures on the fund balance.
31 2) information clearly indicating and explaining what programs would be cut
32 or any other measures to be taken by the agency to restore the fund balance.
33 3) the extent to which any of the planned expenditures are for one-time costs
34 or one-time purchase of capitalized items.
35 4) a statement certifying that the expenditure of fund balances will not
36 jeopardize the financial health of the agency, nor result in a permanent

1 depletion of the fund balance.

2 (B) The Chief Fiscal Officer of the State shall review the request and
3 approve or disapprove all or any part of the request, after having sought
4 prior review by the Legislative Council.

5 The provisions of this section shall be in effect only from July 1, 2003
6 2005 through June 30, ~~2005~~ 2007.

7
8 SECTION 33. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
9 by this act shall be limited to the appropriation for such agency and funds
10 made available by law for the support of such appropriations; and the
11 restrictions of the State Procurement Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
13 Procedures and Restrictions Act, or their successors, and other fiscal
14 control laws of this State, where applicable, and regulations promulgated by
15 the Department of Finance and Administration, as authorized by law, shall be
16 strictly complied with in disbursement of said funds.

17
18 SECTION 34. LEGISLATIVE INTENT. It is the intent of the General Assembly
19 that any funds disbursed under the authority of the appropriations contained
20 in this act shall be in compliance with the stated reasons for which this act
21 was adopted, as evidenced by the Agency Requests, Executive Recommendations
22 and Legislative Recommendations contained in the budget manuals prepared by
23 the Department of Finance and Administration, letters, or summarized oral
24 testimony in the official minutes of the Arkansas Legislative Council or
25 Joint Budget Committee which relate to its passage and adoption.

26
27 SECTION 35. EMERGENCY CLAUSE. It is found and determined by the General
28 Assembly, that the Constitution of the State of Arkansas prohibits the
29 appropriation of funds for more than a two (2) year period; that the
30 effectiveness of this Act on July 1, 2005 is essential to the operation of
31 the agency for which the appropriations in this Act are provided, and that in
32 the event of an extension of the Regular Session, the delay in the effective
33 date of this Act beyond July 1, 2005 could work irreparable harm upon the
34 proper administration and provision of essential governmental programs.
35 Therefore, an emergency is hereby declared to exist and this Act being
36 necessary for the immediate preservation of the public peace, health and

1 safety shall be in full force and effect from and after July 1, 2005.

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/s/ Joint Budget Committee

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