

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/13/09

A Bill

HOUSE BILL 1257

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 AN ACT FOR THE DEPARTMENT OF WORKFORCE
18 EDUCATION APPROPRIATION FOR THE
19 2009-2010 FISCAL YEAR.
20
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.
36



Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2009-2010
(1)	U061U	DWE DIRECTOR	1	\$139,635
(2)	U077U	DWE DEP DIR CAREER & TECH EDUC	1	\$101,572
(3)	U065U	DWE DEPUTY DIRECTOR	1	\$101,571
(4)	U098U	DIR GOV COMM ON ADULT LITERACY	1	\$69,515
(5)	G010C	DWE DIVISION MANAGER	3	GRADE C128
(6)	A031C	ASSISTANT CONTROLLER	1	GRADE C124
(7)	V002C	FEDERAL SURPLUS PROPERTY MANAGER	1	GRADE C124
(8)	E022C	EDUCATION & INSTRUCTION MANAGER	14	GRADE C121
(9)	R014C	PERSONNEL MANAGER	1	GRADE C121
(10)	R019C	BUDGET MANAGER	1	GRADE C120
(11)	E026C	EDUCATION & INSTRUCTION COORDINATOR	32	GRADE C120
(12)	G147C	GRANTS COORDINATOR	1	GRADE C119
(13)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
(14)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
(15)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
(16)	V012C	FEDERAL SURPLUS PROPERTY SUPERVISOR	1	GRADE C117
(17)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
(18)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
(19)	S034C	INTERSTATE TRUCK DRIVER	4	GRADE C115
(20)	V018C	WAREHOUSE MANAGER	1	GRADE C114
(21)	V019C	SURPLUS PROPERTY SPECIALIST	1	GRADE C113
(22)	C056C	ADMINISTRATIVE SPECIALIST III	10	GRADE C112
(23)	A098C	FISCAL SUPPORT SPECIALIST	4	GRADE C112
(24)	V021C	SURPLUS PROPERTY AGENT	4	GRADE C112
(25)	C073C	ADMINISTRATIVE SPECIALIST II	17	GRADE C109
(26)	C088C	MAIL SERVICES ASSISTANT	<u>1</u>	GRADE C105
MAX. NO. OF EMPLOYEES			106	

SECTION 2. EXTRA HELP - VOCATIONAL, TECHNICAL AND ADULT EDUCATION. There is hereby authorized, for the Department of Workforce Education - Vocational, Technical and Adult Education for the 2009-2010 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra

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

5

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

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

12

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

27

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

33

34 ITEM	FISCAL YEAR
35 <u>NO.</u>	<u>2009-2010</u>
36 (01) REGULAR SALARIES	\$ 314,645

1	(02) PERSONAL SERVICES MATCHING	100,068
2	(03) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	25,000
4	(B) CONF. & TRAVEL	0
5	(C) PROF. FEES	0
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 439,713</u>

9

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

15

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

19

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

29

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

1		
2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2009-2010</u>
4	(01) REGULAR SALARIES	\$ 804,543
5	(02) EXTRA HELP	5,000
6	(03) PERSONAL SERVICES MATCHING	296,084
7	(04) MAINT. & GEN. OPERATION	
8	(A) OPER. EXPENSE	543,936
9	(B) CONF. & TRAVEL	46,175
10	(C) PROF. FEES	748,350
11	(D) CAP. OUTLAY	0
12	(E) DATA PROC.	0
13	(05) VOCATIONAL EDUCATION GRANTS	<u>13,531,376</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 15,975,464</u>

15

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

24

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

30

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2009-2010</u>
33	(01) REGULAR SALARIES	\$ 549,188
34	(02) EXTRA HELP	12,000
35	(03) PERSONAL SERVICES MATCHING	222,055
36	(04) OVERTIME	40,000

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

8

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

15

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

28

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

35

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

11

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

18

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

28

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

35

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

13

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

20

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

31

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

1 dwelling unit or other non-residential building project through the Housing
 2 Construction Program of the Department of Workforce Education for the fiscal
 3 year ending June 30, 2010, the following:

4

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

8

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

15

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

28

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

35

36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2009-2010</u>
2	(01) ADULT BASIC &	
3	GENERAL ADULT EDUCATION	<u>\$ 25,271,953</u>
4		

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

11		
12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2009-2010</u>
14	(01) COORDINATED CAREER EDUCATION	
15	SERVICES-SPECIAL NEEDS STUDENTS	
16	PROGRAM GRANTS & AID	<u>\$ 1,119,433</u>
17		

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

24		
25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2009-2010</u>
27	(01) VOCATIONAL CENTER GRANTS AND AID	<u>\$ 20,136,383</u>
28		

29 SECTION 20. APPROPRIATION - VOCATIONAL START-UP GRANTS AND AID. There is
 30 hereby appropriated, to the Department of Workforce Education, to be payable
 31 from the Department of Workforce Education Public School Fund Account, for
 32 Vocational Start-Up grants and aid by the Department of Workforce Education
 33 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) VOCATIONAL START-UP GRANTS & AID \$ 2,370,000

2

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

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

12

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

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

23

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

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

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

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

7

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

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

28

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

1 request and forward it after receiving prior review and approval by the
2 Arkansas Legislative Council or Joint Budget Committee, to the Chief Fiscal
3 Officer of the State for processing.

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

20

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

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

30

31 SECTION 27. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
32 by this act shall be limited to the appropriation for such agency and funds
33 made available by law for the support of such appropriations; and the
34 restrictions of the State Procurement Law, the General Accounting and
35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by
2 the Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

4
5 SECTION 28. LEGISLATIVE INTENT. It is the intent of the General Assembly
6 that any funds disbursed under the authority of the appropriations contained
7 in this act shall be in compliance with the stated reasons for which this act
8 was adopted, as evidenced by the Agency Requests, Executive Recommendations
9 and Legislative Recommendations contained in the budget manuals prepared by
10 the Department of Finance and Administration, letters, or summarized oral
11 testimony in the official minutes of the Arkansas Legislative Council or
12 Joint Budget Committee which relate to its passage and adoption.

13
14 SECTION 29. EMERGENCY CLAUSE. It is found and determined by the General
15 Assembly, that the Constitution of the State of Arkansas prohibits the
16 appropriation of funds for more than a one (1) year period; that the
17 effectiveness of this Act on July 1, 2009 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the Regular Session, the delay in the effective
20 date of this Act beyond July 1, 2009 could work irreparable harm upon the
21 proper administration and provision of essential governmental programs.
22 Therefore, an emergency is hereby declared to exist and this Act being
23 necessary for the immediate preservation of the public peace, health and
24 safety shall be in full force and effect from and after July 1, 2009.

25
26 /s/ Joint Budget Committee
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