

1 State of Arkansas As Engrossed: H3/6/15 H3/13/15 H3/26/15

2 90th General Assembly

A Bill

3 Regular Session, 2015

HOUSE BILL 1104

4

5 By: Joint Budget Committee

6

7

For An Act To Be Entitled

8

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES

9

AND OPERATING EXPENSES AND FOR GRANTS AND AID TO

10

LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE

11

DEPARTMENT OF CAREER EDUCATION FOR THE FISCAL YEAR

12

ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

13

14

15

Subtitle

16

AN ACT FOR THE DEPARTMENT OF CAREER

17

EDUCATION APPROPRIATION FOR THE 2015-2016

18

FISCAL YEAR.

19

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

22

23

SECTION 1. REGULAR SALARIES. There is hereby established for the Department of Career Education for the 2015-2016 fiscal year, the following maximum number of regular employees.

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Maximum Annual

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Maximum

Salary Rate

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Item Class

No. of

Fiscal Year

30

No. Code Title

Employees

2015-2016

31

(1) U061U ACE DIRECTOR

1

\$153,463

32

(2) U077U ACE DEPUTY DIRECTOR CAREER & TECH ED

1

\$111,630

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(3) U065U ACE DEPUTY DIRECTOR

1

\$111,629

34

(4) DIR. OF OFFICE OF SKILLS DEVELOPMENT

GRADE N910

35

(5) G010C ACE DIVISION MANAGER

4

GRADE C128

36

(6) A031C ASSISTANT CONTROLLER

1

GRADE C124



1	(7)	E061C	ACE PROGRAM COORDINATOR	16	GRADE C123
2	(8)	E062C	ACE PROGRAM ADVISOR	32	GRADE C122
3	(9)	R014C	PERSONNEL MANAGER	1	GRADE C121
4	(10)	R019C	BUDGET MANAGER	1	GRADE C120
5	(11)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
6	(12)	A060C	SENIOR AUDITOR	3	GRADE C119
7	(13)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
8	(14)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
9	(15)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
10	(16)	C037C	ADMINISTRATIVE ANALYST	3	GRADE C115
11	(17)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
12	(18)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
13	(19)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
14	(20)	C056C	ADMINISTRATIVE SPECIALIST III	7	GRADE C112
15	(21)	A098C	FISCAL SUPPORT SPECIALIST	3	GRADE C112
16	(22)	S050C	MAINTENANCE SPECIALIST	1	GRADE C112
17	(23)	C073C	ADMINISTRATIVE SPECIALIST II	<u>13</u>	GRADE C109
18			MAX. NO. OF EMPLOYEES	96	

19

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

21 There is hereby authorized, for the Department of Career Education -
 22 Vocational, Technical and Adult Education for the 2015-2016 fiscal year, the
 23 following maximum number of part-time or temporary employees, to be known as
 24 "Extra Help", payable from funds appropriated herein for such purposes:
 25 sixty-nine (69) temporary or part-time employees, when needed, at rates of
 26 pay not to exceed those provided in the Uniform Classification and
 27 Compensation Act, or its successor, or this act for the appropriate
 28 classification.

29

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

31 There is hereby appropriated, to the Department of Career Education, to be
 32 payable from the Department of Career Education Fund Account, for personal
 33 services and operating expenses of the Department of Career Education -
 34 Vocational, Technical and Adult Education for the fiscal year ending June 30,
 35 2016, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2015-2016</u>
3	(01) REGULAR SALARIES	\$3,061,559
4	(02) EXTRA HELP	13,541
5	(03) PERSONAL SERVICES MATCHING	965,689
6	(04) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	979,873
8	(B) CONF. & TRAVEL	36,251
9	(C) PROF. FEES	0
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	0
12	(05) APPRENTICESHIP PROGRAM	1,611,456
13	(06) MOTOR VEHICLE EDUCATION PROGRAM	<u>2,500</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$6,670,869</u></u>

15

16 SECTION 4. APPROPRIATION - ADULT BASIC EDUCATION. There is hereby
 17 appropriated, to the Department of Career Education, to be payable from the
 18 Department of Career Education Fund Account, for personal services and
 19 operating expenses of the Department of Career Education - Adult Basic
 20 Education for the fiscal year ending June 30, 2016, the following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2015-2016</u>
24	(01) REGULAR SALARIES	\$392,990
25	(02) PERSONAL SERVICES MATCHING	122,637
26	(03) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	24,507
28	(B) CONF. & TRAVEL	0
29	(C) PROF. FEES	0
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u><u>\$540,134</u></u>

33

34 SECTION 5. APPROPRIATION - HIGH-TECH SCHOLARSHIP AWARD PROGRAM. There
 35 is hereby appropriated, to the Department of Career Education, to be payable
 36 from the Department of Career Education Fund Account, for scholarships of the

1 of the Department of Career Education - High-Tech Scholarship Award Program
2 for the fiscal year ending June 30, 2016, the following:

3	4 ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2015-2016</u>
6	(01) SCHOLARSHIPS	<u>\$10,000</u>

7
8 SECTION 6. EXTRA HELP - FEDERAL VOCATIONAL, TECHNICAL AND ADULT
9 EDUCATION. There is hereby authorized, for the Department of Career
10 Education - Federal Vocational, Technical and Adult Education for the 2015-
11 2016 fiscal year, the following maximum number of part-time or temporary
12 employees, to be known as "Extra Help", payable from funds appropriated
13 herein for such purposes: four (4) temporary or part-time employees, when
14 needed, at rates of pay not to exceed those provided in the Uniform
15 Classification and Compensation Act, or its successor, or this act for the
16 appropriate classification.

17
18 SECTION 7. APPROPRIATION - FEDERAL VOCATIONAL, TECHNICAL AND ADULT
19 EDUCATION. There is hereby appropriated, to the Department of Career
20 Education, to be payable from the federal funds as designated by the Chief
21 Fiscal Officer of the State, for personal services, operating expenses and
22 grants by the Department of Career Education - Federal Vocational, Technical
23 and Adult Education for the fiscal year ending June 30, 2016, the following:

24	25 ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2015-2016</u>
27	(01) REGULAR SALARIES	\$907,764
28	(02) EXTRA HELP	14,305
29	(03) PERSONAL SERVICES MATCHING	309,962
30	(04) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	1,673,381
32	(B) CONF. & TRAVEL	46,175
33	(C) PROF. FEES	100,000
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	0
36	(05) VOCATIONAL EDUCATION GRANTS	<u>16,540,397</u>

1 TOTAL AMOUNT APPROPRIATED \$19,591,984

2

3 SECTION 8. APPROPRIATION - FEDERAL ADULT BASIC EDUCATION. There is
4 hereby appropriated, to the Department of Career Education, to be payable
5 from the federal funds as designated by the Chief Fiscal Officer of the
6 State, for personal services, operating expenses and grants by the Department
7 of Career Education - Federal Adult Basic Education for the fiscal year
8 ending June 30, 2016, the following:

9

10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2015-2016</u>
12	(01) REGULAR SALARIES	\$76,472
13	(02) PERSONAL SERVICES MATCHING	27,624
14	(03) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	77,467
16	(B) CONF. & TRAVEL	25,200
17	(C) PROF. FEES	9,000
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	0
20	(04) ADULT BASIC EDUCATION GRANTS	<u>8,076,279</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$8,292,042</u>

22

23 SECTION 9. APPROPRIATION - FEDERAL VETERANS APPROVING AGENCY. There is
24 hereby appropriated, to the Department of Career Education, to be payable
25 from the federal funds as designated by the Chief Fiscal Officer of the
26 State, for personal services and operating expenses of the Department of
27 Career Education - Federal Veterans Approving Agency for the fiscal year
28 ending June 30, 2016, the following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2015-2016</u>
32	(01) REGULAR SALARIES	\$183,035
33	(02) PERSONAL SERVICES MATCHING	60,355
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	53,546
36	(B) CONF. & TRAVEL	9,623

1	(C) PROF. FEES	600
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$307,159</u></u>

5

6 SECTION 10. APPROPRIATION - FEDERAL EQUIPMENT AND TRAINING. There is

7 hereby appropriated, to the Department of Career Education, to be payable

8 from the federal funds as designated by the Chief Fiscal Officer of the

9 State, for operating expenses of the Department of Career Education - Federal

10 Equipment and Training for the fiscal year ending June 30, 2016, the

11 following:

12	ITEM	FISCAL YEAR
13	NO.	2015-2016
14	(01) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	\$14,800
16	(B) CONF. & TRAVEL	0
17	(C) PROF. FEES	0
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	<u>0</u>
20	TOTAL AMOUNT APPROPRIATED	<u><u>\$14,800</u></u>

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22

23 SECTION 11. APPROPRIATION - CONSTRUCTION INDUSTRY CRAFT TRAINING

24 PROGRAM. There is hereby appropriated, to the Department of Career

25 Education, to be payable from the Arkansas Construction Industry Craft

26 Training Trust Fund, for personal services, operating expenses and grants by

27 the Department of Career Education - Construction Industry Craft Training

28 Program for the fiscal year ending June 30, 2016, the following:

29	ITEM	FISCAL YEAR
30	NO.	2015-2016
31	(01) REGULAR SALARIES	\$49,971
32	(02) PERSONAL SERVICES MATCHING	16,014
33	(03) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	12,000
35	(B) CONF. & TRAVEL	7,500

1 (01) LOANS \$329,613

2

3 SECTION 14. APPROPRIATION - LAW ENFORCEMENT SAFETY OFFICE - CASH.

4 There is hereby appropriated, to the Department of Career Education, to be
 5 payable from the cash fund deposited in the State Treasury as determined by
 6 the Chief Fiscal Officer of the State, for operating expenses of the
 7 Department of Career Education - Law Enforcement Safety Office - Cash for the
 8 fiscal year ending June 30, 2016, the following:

9

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) LAW ENFORCEMENT SAFETY PROGRAM	<u>\$75,000</u>

13

14 SECTION 15. APPROPRIATION - CAREER COACHES GRANT - CASH. There is
 15 hereby appropriated, to the Department of Career Education, to be payable
 16 from the cash fund deposited in the State Treasury as determined by the Chief
 17 Fiscal Officer of the State, for grants and aid for career coaches by the
 18 Department of Career Education - Career Coaches Grant - Cash for the fiscal
 19 year ending June 30, 2016, the following:

20

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) CAREER COACHES GRANTS	<u>\$20,000</u>

24

25 SECTION 16. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY.
 26 There is hereby appropriated, to the Department of Career Education, to be
 27 payable from the Department of Career Education Public School Fund Account,
 28 for personal services, operating expenses, and grants by the Department of
 29 Career Education - Governor's Commission on Adult Literacy for the fiscal
 30 year ending June 30, 2016, the following:

31

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) REGULAR SALARIES	\$26,410
(02) PERSONAL SERVICES MATCHING	9,031
(03) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	52,242
2	(B) CONF. & TRAVEL	6,005
3	(C) PROF. FEES	0
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	0
6	(04) GRANTS TO LITERACY COUNCILS	<u>700,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$793,688</u></u>

8

9 SECTION 17. APPROPRIATION - ADULT BASIC AND GENERAL ADULT EDUCATION.

10 There is hereby appropriated, to the Department of Career Education, to be
 11 payable from the Department of Career Education Public School Fund Account,
 12 for Adult Basic and General Adult Education grants and aid by the Department
 13 of Career Education for the fiscal year ending June 30, 2016, the following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2015-2016</u>
17	(01) ADULT BASIC & GENERAL ADULT EDUCATION	<u><u>\$19,860,569</u></u>

18

19 SECTION 18. APPROPRIATION - COORDINATED CAREER EDUCATION SERVICES.

20 There is hereby appropriated, to the Department of Career Education, to be
 21 payable from the Department of Career Education Public School Fund Account,
 22 for Coordinated Career Education Services - Special Needs Students Program
 23 grants and aid by the Department of Career Education for the fiscal year
 24 ending June 30, 2016, the following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2015-2016</u>
28	(01) COORDINATED CAREER EDUCATION	
29	SERVICES-SPECIAL NEEDS STUDENTS	
30	PROGRAM GRANTS & AID	<u><u>\$1,119,433</u></u>

31

32 SECTION 19. APPROPRIATION - VOCATIONAL CENTER AID. There is hereby
 33 appropriated, to the Department of Career Education, to be payable from the
 34 Department of Career Education Public School Fund Account, for Vocational
 35 Center grants and aid by the Department of Career Education - Vocational
 36 Center Aid for the fiscal year ending June 30, 2016, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) VOCATIONAL CENTER GRANTS AND AID	<u>\$20,436,383</u>

SECTION 20. APPROPRIATION - VOCATIONAL START-UP GRANTS AND AID. There is hereby appropriated, to the Department of Career Education, to be payable from the Department of Career Education Public School Fund Account, for Vocational Start-Up grants and aid by the Department of Career Education for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) VOCATIONAL START-UP GRANTS AND AID	<u>\$2,370,000</u>

SECTION 21. APPROPRIATION - GED TESTING. There is hereby appropriated, to the Department of Career Education, to be payable from the Department of Career Education Public School Fund Account, for the cost of individuals taking the General Educational Development (GED) test and official practice test for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) GED TEST COSTS	<u>\$1,870,000</u>

SECTION 22. APPROPRIATION - CAREER COACHES PROGRAM. There is hereby appropriated, to the Department of Career Education, to be payable from the Department of Career Education Public School Fund Account, for personal services, operating expenses, and Career Coaches grants and aid by the Department of Career Education - Career Coaches Program for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) REGULAR SALARIES	\$80,364
(02) PERSONAL SERVICES MATCHING	26,260

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	50,000
3	(B) CONF. & TRAVEL	15,000
4	(C) PROF. FEES	0
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	0
7	(04) CAREER COACHES GRANTS AND AID	<u>800,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$971,624</u></u>

9

10 SECTION 23. APPROPRIATION - AR WORKS - SCHOOL DISTRICTS. There is

11 hereby appropriated, to the Department of Career Education, to be payable

12 from the cash fund deposited in the State Treasury as determined by the Chief

13 Fiscal Officer of the State, for grants to support the Arkansas Works

14 Initiative career coach positions serving middle and high schools in twenty-

15 one counties and the Little Rock school district for the fiscal year ending

16 June 30, 2016, the following:

17		
18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2015-2016</u>
20	(01) ARKANSAS WORKS INITIATIVE GRANTS	<u><u>\$1,537,500</u></u>

21

22 SECTION 24. REGULAR SALARIES. There is hereby established for the

23 Department of Career Education for the 2014-2015 fiscal year, the following

24 maximum number of regular employees.

25			
26			<i>Maximum Annual</i>
27		<i>Maximum</i>	<i>Salary Rate</i>
28	<i>Item Class</i>	<i>No. of</i>	<i>Fiscal Year</i>
29	<u><i>No. Code Title</i></u>	<u><i>Employees</i></u>	<u><i>2014-2015</i></u>
30	(1) DIR. OF OFFICE OF SKILLS DEVELOPMENT	<u>1</u>	GRADE N910
31	MAX. NO. OF EMPLOYEES	1	

32

33 SECTION 25. APPROPRIATION - OFFICE OF SKILLS DEVELOPMENT. There is

34 hereby appropriated, to the Department of Career Education, to be payable

35 from the Skills Development Fund, for personal services, operating expenses

36 and grants by the Department of Career Education - Office of Skills

1 *Development for the fiscal year ending June 30, 2016, the following:*

2		
3	<i>ITEM</i>	<i>FISCAL YEAR</i>
4	<u><i>NO.</i></u>	<u><i>2015-2016</i></u>
5	<i>(01) REGULAR SALARIES</i>	<i>\$40,367</i>
6	<i>(02) PERSONAL SERVICES MATCHING</i>	<i>11,302</i>
7	<i>(03) MAINT. & GEN. OPERATION</i>	
8	<i>(A) OPER. EXPENSE</i>	<i>165,000</i>
9	<i>(B) CONF. & TRAVEL</i>	<i>10,000</i>
10	<i>(C) PROF. FEES</i>	<i>0</i>
11	<i>(D) CAP. OUTLAY</i>	<i>200,000</i>
12	<i>(E) DATA PROC.</i>	<i>0</i>
13	<i>(04) INDUSTRY TRAINING PROGRAM</i>	<i>15,000,000</i>
14	<i>(05) WORKFORCE DEVELOPMENT GRANTS</i>	<i>4,500,000</i>
15	<i>(06) WORKFORCE IMPROVEMENT GRANTS</i>	<i>3,500,000</i>
16	<i>(07) CAREER COACHES EXPENSES</i>	<i>9,000,000</i>
17	<i>(08) INDUSTRY CERTIFICATION TESTING</i>	<u><i>100,000</i></u>
18	<i>TOTAL AMOUNT APPROPRIATED</i>	<u><i>\$32,526,669</i></u>

19

20 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL

22 MATCHING. The funds appropriated in Sections for Adult Basic and General

23 Adult Education, Coordinated Career Education Services, Vocational Center Aid

24 and Vocational Start-up Grants and Aid of this Act may also be used to match

25 any available federal funds from any agency in order to provide the maximum

26 amount of money possible for the purposes enumerated in such section.

27 The provisions of this section shall be in effect only from July 1, ~~2014~~

28 2015 through June 30, ~~2015~~ 2016.

29

30 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

32 VOCATIONAL START-UP. The funds and appropriations contained herein for

33 Vocational Start-Up shall be allocated in accordance with rules and

34 regulations established by the State Board of Career Education, after the

35 rules and regulations have undergone a prior review by the Administrative

36 Rules and Regulations Subcommittee of the Arkansas Legislative Council or

1 Joint Budget Committee.

2 The provisions of this section shall be in effect only from July 1, ~~2014~~
3 2015 through June 30, ~~2015~~ 2016.

4
5 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 EDUCATIONAL TRAINING/RETRAINING. Of the funds and appropriation authorized by
8 Item (01) in the section of this Act for Adult Basic and General Adult
9 Education, a sum of \$300,000 each fiscal year shall be made available to
10 eligible entities approved by the State Board of Career Education, in order
11 to expand the vocational education and training opportunities available to
12 area citizens in need of adult educational training or retraining due to
13 changing technology.

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

22 The provisions of this section shall be in effect only from July 1, ~~2014~~
23 2015 through June 30, ~~2015~~ 2016.

24
25 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT
27 EDUCATION DISTRIBUTION. All funds that become available for Adult Education
28 shall be distributed to those administrative units determined to be operating
29 efficient and effective adult education programs, under criteria established
30 by the State Board of Career Education. The criteria shall include the
31 relative efficiency of administration of the program in the counties served
32 and achievement of federal performance indicators. The State Board of Career
33 Education shall promulgate rules and regulations for the distribution of
34 funds in accordance with criteria to be determined by the Board. In the
35 distribution of funds to local units the Board shall consider performance in
36 meeting state and federal performance indicators. Unallocated funds will be

1 redistributed based upon need as determined by the State Board of Career
2 Education.

3 The provisions of this section shall be in effect only from July 1, ~~2014~~
4 2015 through June 30, ~~2015~~ 2016.

5
6 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
8 OF FUNDS – PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall
9 establish, upon request from the Department of Career Education, a special
10 appropriation line item to be used in the acquisition of promotional items.
11 When the Department of Career Education wishes to transfer monies from its
12 operating expenses appropriation to the Promotional Items line, the State
13 Board of Career Education shall approve the request and forward it after
14 receiving prior review and approval by the Arkansas Legislative Council or
15 Joint Budget Committee, to the Chief Fiscal Officer of the State for
16 processing.

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

33 The provisions of this section shall be in effect only from July 1,
34 2015 through June 30, 2016.

35

36 SECTION 31. CODE AMENDMENT. Arkansas Code § 6-51-904(a) is amended to

1 *read as follows:*

2 *6-51-904. Duties of local board for technical institutes.*

3 *(a) The powers and duties of the local board shall be as follows:*

4 *(1) To acquire, hold, and transfer real and personal property, to enter*
5 *into contracts, to institute and defend legal actions and suits, and to*
6 *exercise such other rights and privileges as may be necessary for the*
7 *management and administration of the technical institute;*

8 *(2) To determine a minimum level for student tuition and fees to be*
9 *charged by the technical institute, including without limitation penalty*
10 *fees;*

11 *(3) To appoint from the candidates certified by the State Board of*
12 *Career Education and approved by the Governor, the president of the technical*
13 *institute or director of the comprehensive lifelong learning center;*

14 *(4) To appoint, upon nomination of the president or director, the*
15 *members of the administrative and teaching staffs;*

16 *(5) To determine, with the approval of the State Board of Career*
17 *Education, the educational program of the institution; and*

18 *(6) Other powers and duties as provided in this subchapter or as*
19 *delegated to it by the State Board of Career Education.*

20

21 SECTION 32. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
22 authorized by this act shall be limited to the appropriation for such agency
23 and funds made available by law for the support of such appropriations; and
24 the restrictions of the State Procurement Law, the General Accounting and
25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
26 Procedures and Restrictions Act, or their successors, and other fiscal
27 control laws of this State, where applicable, and regulations promulgated by
28 the Department of Finance and Administration, as authorized by law, shall be
29 strictly complied with in disbursement of said funds.

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31 SECTION 33. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this act shall be in compliance with the stated reasons for
34 which this act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget
36 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

3
4 SECTION 34. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a one (1) year period; that the
7 effectiveness of this Act on July 1, 2015 is essential to the operation of
8 the agency for which the appropriations in this Act are provided; with the
9 exception that Section 24 in this Act shall be in full force and effect from
10 and after the date of its passage and approval, and that in the event of an
11 extension of the legislative session, the delay in the effective date of this
12 Act beyond July 1, 2015, with the exception that Section 24 in this Act shall
13 be in full force and effect from and after the date of its passage and
14 approval, could work irreparable harm upon the proper administration and
15 provision of essential governmental programs. Therefore, an emergency is
16 hereby declared to exist and this Act being necessary for the immediate
17 preservation of the public peace, health and safety shall be in full force
18 and effect from and after July 1, 2015; with the exception that Section 24 in
19 this Act shall be in full force and effect from and after the date of its
20 passage and approval.

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22 /s/Joint Budget Committee
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