

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 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

HOUSE BILL 1138

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 2005; AND FOR OTHER PURPOSES.  
15

## Subtitle

16  
17  
18 AN ACT FOR THE DEPARTMENT OF WORKFORCE  
19 EDUCATION APPROPRIATION FOR THE  
20 2003-2005 BIENNIUM.  
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 2003-2005 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.  
36



					Maximum Annual	
				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2003-2004	2004-2005
5	(1)	9795	ED DIR - VOCATION TECH DIVISION	1	\$119,767	\$122,294
6	(2)	9052	ED DEP DIR CAREER & TECH EDUC	1	\$86,437	\$88,480
7	(3)	9756	DEPUTY DIR VO-TECH EDUCATION	1	\$86,436	\$88,479
8	(4)	9088	SCHOOL FOR WORK COORDINATOR	1	\$59,861	\$61,398
9	(5)	7092	DIR, GOV COMM ON ADULT LITERACY	1	\$58,699	\$60,215
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)	143Z	FED SURPLUS PROPERTY MGR	1	GRADE 23	
14	(10)	845Z	ED COORD ADULT ED PROGRAMS	1	GRADE 23	
15	(11)	A123	ED INTERNAL AUDITOR	1	GRADE 23	
16	(12)	E102	ED CURRICULUM SUPV-VOCATIONAL	1	GRADE 23	
17	(13)	840Z	ED VOC ED PROGRAM SUPPORT MGR	14	GRADE 22	
18	(14)	A047	GENERAL FINANCE COORDINATOR	1	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	22	GRADE 21	
23	(19)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21	
24	(20)	R310	VETERANS PROGRAM ADVISOR	1	GRADE 21	
25	(21)	V080	MGR PURCHASING & PROPERTY MGT	1	GRADE 21	
26	(22)	V066	FED SURPLUS PROPERTY SUPERVISOR	1	GRADE 20	
27	(23)	A111	ACCOUNTANT	2	GRADE 18	
28	(24)	R035	ED VOC ED EXECUTIVE ASSISTANT	1	GRADE 18	
29	(25)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18	
30	(26)	R010	ADMINISTRATIVE ASSISTANT II	6	GRADE 17	
31	(27)	R166	GRANTS COORDINATOR I	1	GRADE 17	
32	(28)	V018	SURPLUS PROP INVENTORY CONTROL MGR	1	GRADE 17	
33	(29)	V053	SURPLUS PROPERTY AGENT	7	GRADE 16	
34	(30)	V070	FED SURPLUS PROP UTILIZATION INSP	1	GRADE 16	
35	(31)	A063	PAYROLL OFFICER	1	GRADE 15	
36	(32)	A108	ACCOUNTING TECHNICIAN II	4	GRADE 15	

1	(33) K153 SECRETARY II	22	GRADE 13
2	(34) A106 ACCOUNTING TECHNICIAN I	<u>1</u>	GRADE 12
3	MAX. NO. OF EMPLOYEES	105	

4

5 SECTION 2. EXTRA HELP - VOCATIONAL, TECHNICAL AND ADULT EDUCATION . There  
6 is hereby authorized, for the Department of Workforce Education - Vocational,  
7 Technical and Adult Education for the 2003-2005 biennium, the following  
8 maximum number of part-time or temporary employees, to be known as "Extra  
9 Help", payable from funds appropriated herein for such purposes: forty seven  
10 (47) temporary or part-time employees, when needed, at rates of pay not to  
11 exceed those provided in the Uniform Classification and Compensation Act, or  
12 its successor, or this act for the appropriate classification.

13

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, 2005, the following:

21	ITEM	FISCAL YEARS	
22	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
23	(01) REGULAR SALARIES	\$ 2,023,697	\$ 2,023,697
24	(02) EXTRA HELP	3,923	3,923
25	(03) PERSONAL SERV MATCH	488,399	488,399
26	(04) MAINT. & GEN. OPERATION		
27	(A) OPER. EXPENSE	552,893	552,893
28	(B) CONF. & TRAVEL	43,496	43,496
29	(C) PROF. FEES	0	0
30	(D) CAP. OUTLAY	0	0
31	(E) DATA PROC.	258,964	258,964
32	(05) APPRENTICESHIP PROGRAM	<u>1,926,513</u>	<u>1,926,513</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,297,885</u>	<u>\$ 5,297,885</u>

34

35 SECTION 4. APPROPRIATION - ADULT BASIC EDDUCATION. 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, 2005, the following:

4

5 ITEM	FISCAL YEARS	
6 <u>NO.</u>	2003-2004	2004-2005
7 (01) REGULAR SALARIES	\$ 282,216	\$ 282,216
8 (02) PERSONAL SERV MATCH	64,360	64,360
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>\$ 371,576</u>	<u>\$ 371,576</u>

16

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 State General Services Fund Account, for operating expenses of the  
 20 Department of Workforce Education - Vo-Tech Advisory Council for the biennial  
 21 period ending June 30, 2005, the following:

22

23 ITEM	FISCAL YEARS	
24 <u>NO.</u>	2003-2004	2004-2005
25 (01) MAINT. & GEN. OPERATION		
26 (A) OPER. EXPENSE	\$ 16,055	\$ 16,055
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>\$ 16,055</u>	<u>\$ 16,055</u>

32

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, 2005, the following:

2

3 ITEM	4 FISCAL YEARS	
	5 NO.	2003-2004
6 (01) SCHOLARSHIPS	\$ 9,000	\$ 9,000
7 TOTAL AMOUNT APPROPRIATED	\$ 9,000	\$ 9,000

7

8 SECTION 7. APPROPRIATION - FEDERAL VOCATIONAL, TECHNICAL AND ADULT  
 9 EDUCATION. There is hereby appropriated, to the Department of Workforce  
 10 Education, to be payable from the federal funds as designated by the Chief  
 11 Fiscal Officer of the State, for personal services and operating expenses of  
 12 the Department of Workforce Education - Federal Vocational, Technical and  
 13 Adult Education for the biennial period ending June 30, 2005, the following:

14

15 ITEM	16 FISCAL YEARS	
	NO.	2003-2004
17 (01) REGULAR SALARIES	\$ 575,641	\$ 591,183
18 (02) EXTRA HELP	5,000	5,000
19 (03) PERSONAL SERV MATCH	181,517	184,682
20 (04) MAINT. & GEN. OPERATION		
21 (A) OPER. EXPENSE	253,500	253,500
22 (B) CONF. & TRAVEL	38,500	38,500
23 (C) PROF. FEES	138,000	138,000
24 (D) CAP. OUTLAY	0	0
25 (E) DATA PROC.	43,436	43,436
26 (05) VOCATIONAL EDUCATION GRANTS	14,900,000	14,900,000
27 TOTAL AMOUNT APPROPRIATED	\$ 16,135,594	\$ 16,154,301

28

29 SECTION 8. EXTRA HELP - FEDERAL VOCATIONAL, TECHNICAL AND ADULT  
 30 EDUCATION. There is hereby authorized, for the Department of Workforce  
 31 Education - Federal Vocational, Technical and Adult Education for the 2003-  
 32 2005 biennium, the following maximum number of part-time or temporary  
 33 employees, to be known as "Extra Help", payable from funds appropriated  
 34 herein for such purposes: fifteen (15) temporary or part-time employees,  
 35 when needed, at rates of pay not to exceed those provided in the Uniform  
 36 Classification and Compensation Act, or its successor, or this act for the

1 appropriate classification.

2

3 SECTION 9. APPROPRIATION - FEDERAL SURPLUS PROPERTY PROGRAM. There is  
 4 hereby appropriated, to the Department of Workforce Education, to be payable  
 5 from the Federal Surplus Property Fund, for personal services and operating  
 6 expenses of the Department of Workforce Education - Federal Surplus Property  
 7 Program for the biennial period ending June 30, 2005, the following:

8

9 ITEM	FISCAL YEARS	
10 NO.	2003-2004	2004-2005
11 (01) REGULAR SALARIES	\$ 431,933	\$ 443,604
12 (02) EXTRA HELP	12,000	12,000
13 (03) PERSONAL SERV MATCH	142,749	145,127
14 (04) OVERTIME	10,000	10,000
15 (05) MAINT. & GEN. OPERATION		
16 (A) OPER. EXPENSE	499,246	499,246
17 (B) CONF. & TRAVEL	15,000	15,000
18 (C) PROF. FEES	5,263	5,263
19 (D) CAP. OUTLAY	0	0
20 (E) DATA PROC.	<u>0</u>	<u>0</u>
21 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,116,191</u>	<u>\$ 1,130,240</u>

22

23 SECTION 10. EXTRA HELP - FEDERAL SURPLUS PROPERTY PROGRAM. There is  
 24 hereby authorized, for the Department of Workforce Education - Federal  
 25 Surplus Property Program for the 2003-2005 biennium, the following maximum  
 26 number of part-time or temporary employees, to be known as "Extra Help",  
 27 payable from funds appropriated herein for such purposes: four (4) temporary  
 28 or part-time employees, when needed, at rates of pay not to exceed those  
 29 provided in the Uniform Classification and Compensation Act, or its  
 30 successor, or this act for the appropriate classification.

31

32 SECTION 11. APPROPRIATION - FEDERAL JTPA VOCATIONAL EDUCATION. There is  
 33 hereby appropriated, to the Department of Workforce Education, to be payable  
 34 from the federal funds as designated by the Chief Fiscal Officer of the  
 35 State, for personal services and operating expenses of the Department of  
 36 Workforce Education - Federal JTPA Vocational Education for the biennial

1 period ending June 30, 2005, the following:

2

3	ITEM	FISCAL YEARS	
4	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
5	(01) REGULAR SALARIES	\$ 191,147	\$ 196,308
6	(02) EXTRA HELP	110,000	110,000
7	(03) PERSONAL SERV MATCH	64,944	65,995
8	(04) MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE	161,825	161,825
10	(B) CONF. & TRAVEL	6,000	6,000
11	(C) PROF. FEES	0	0
12	(D) CAP. OUTLAY	0	0
13	(E) DATA PROC.	<u>0</u>	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 533,916</u>	<u>\$ 540,128</u>

15

16 SECTION 12. EXTRA HELP - FEDERAL JTPA VOCATIONAL EDUCATION. There is  
 17 hereby authorized, for the Department of Workforce Education - Federal JTPA  
 18 Vocational Education for the 2003-2005 biennium, 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: thirteen (13) temporary or  
 21 part-time employees, when needed, at rates of pay not to exceed those  
 22 provided in the Uniform Classification and Compensation Act, or its  
 23 successor, or this act for the appropriate classification.

24

25 SECTION 13. APPROPRIATION - FEDERAL ADULT BASIC EDUCATION. There is hereby  
 26 appropriated, to the Department of Workforce Education, to be payable from  
 27 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 28 personal services and operating expenses of the Department of Workforce  
 29 Education - Federal Adult Basic Education for the biennial period ending June  
 30 30, 2005, the following:

31

32	ITEM	FISCAL YEARS	
33	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
34	(01) REGULAR SALARIES	\$ 111,844	\$ 114,864
35	(02) PERSONAL SERV MATCH	32,863	33,478
36	(03) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	77,467	77,467
2	(B) CONF. & TRAVEL	7,700	7,700
3	(C) PROF. FEES	9,000	9,000
4	(D) CAP. OUTLAY	0	0
5	(E) DATA PROC.	0	0
6	(04) ADULT BASIC EDUCATION GRANTS	<u>8,686,308</u>	<u>8,686,308</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,925,182</u>	<u>\$ 8,928,817</u>

8

9 SECTION 14. APPROPRIATION - FEDERAL VETERAN'S APPROVING AGENCY. There is  
 10 hereby appropriated, to the Department of Workforce Education, to be payable  
 11 from the federal funds as designated by the Chief Fiscal Officer of the  
 12 State, for personal services and operating expenses of the Department of  
 13 Workforce Education - Federal Veteran's Approving Agency for the biennial  
 14 period ending June 30, 2005, the following:

15

16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
18	(01) REGULAR SALARIES	\$ 109,353	\$ 112,305
19	(02) PERSONAL SERV MATCH	32,355	32,957
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	27,546	27,546
22	(B) CONF. & TRAVEL	5,623	5,623
23	(C) PROF. FEES	600	600
24	(D) CAP. OUTLAY	0	0
25	(E) DATA PROC.	<u>0</u>	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 175,477</u>	<u>\$ 179,031</u>

27

28 SECTION 15. APPROPRIATION - FEDERAL EQUIPMENT AND TRAINING. There is  
 29 hereby appropriated, to the Department of Workforce Education, to be payable  
 30 from the federal funds as designated by the Chief Fiscal Officer of the  
 31 State, for operating expenses of the Department of Workforce Education -  
 32 Federal Equipment and Training for the biennial period ending June 30, 2005,  
 33 the following:

34

35	ITEM	FISCAL YEARS	
36	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>



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

8

9 SECTION 16. APPROPRIATION - CONSTRUCTION INDUSTRY CRAFT TRAINING PROGRAM.

10 There is hereby appropriated, to the Department of Workforce Education, to be  
 11 payable from the Arkansas Construction Industry Craft Training Trust Fund,  
 12 for personal services and operating expenses of the Department of Workforce  
 13 Education - Construction Industry Craft Training Program for the biennial  
 14 period ending June 30, 2005, the following:

15

16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
18	(01) REGULAR SALARIES	\$ 38,481	\$ 39,520
19	(02) PERSONAL SERV MATCH	11,199	11,410
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	12,000	12,000
22	(B) CONF. & TRAVEL	7,500	7,500
23	(C) PROF. FEES	0	0
24	(D) CAP. OUTLAY	0	0
25	(E) DATA PROC.	0	0
26	(04) GRANTS TO CONSTRUCTION INDUSTRY CRAFT		
27	TRAINING PROGRAM	<u>400,000</u>	<u>400,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 469,180</u>	<u>\$ 470,430</u>

29

30 SECTION 17. APPROPRIATIONS - ALTERNATIVE RETIREMENT PROGRAM-CASH. There  
 31 is hereby appropriated, to the Department of Workforce Education, to be  
 32 payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 33 Department of Workforce Education, for personal services and operating  
 34 expenses of the Department of Workforce Education - Alternative Retirement  
 35 Program for the biennial period ending June 30, 2005, the following:

36

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) PERSONAL SERV MATCH	\$ 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>

11

12 SECTION 18. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY. There  
 13 is hereby appropriated, to the Department of Workforce Education, to be  
 14 payable from the Department of Workforce Education Public School Fund  
 15 Account, for personal services and operating expenses of the Department of  
 16 Workforce Education - Governor's Commission on Adult Literacy for the  
 17 biennial period ending June 30, 2005, the following:

18

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 28,763	\$ 28,763
(02) PERSONAL SERV MATCH	8,814	8,814
(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>\$ 770,824</u>	<u>\$ 770,824</u>

31

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

1 2005, the following:

2

3 ITEM	FISCAL YEARS	
4 <u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
5 (01) ADULT BASIC & GENERAL ADULT EDUCATION	\$ 15,673,735	\$ 15,673,735
6 TOTAL AMOUNT APPROPRIATED	<u>\$ 15,673,735</u>	<u>\$ 15,673,735</u>

7

8 SECTION 20. APPROPRIATION - COORDINATED CAREER EDUCATION SERVICES. There  
 9 is hereby appropriated, to the Department of Workforce Education, to be  
 10 payable from the Department of Workforce Education Public School Fund  
 11 Account, for Coordinated Career Education Services - Special Needs Students  
 12 Program Grants and Aids of the Department of Workforce Education for the  
 13 biennial period ending June 30, 2005, the following:

14

15 ITEM	FISCAL YEARS	
16 <u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
17 (01) COORDINATED CAREER EDUCATION SERVICE -		
18 SPECIAL NEEDS STUDENTS PROGRAM GRANTS &		
19 AID	\$ 1,119,433	\$ 1,119,433
20 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,119,433</u>	<u>\$ 1,119,433</u>

21

22 SECTION 21. APPROPRIATION - VOCATIONAL CENTER AID. There is hereby  
 23 appropriated, to the Department of Workforce Education, to be payable from  
 24 the Department of Workforce Education Public School Fund Account, for  
 25 Vocational Center Grants and Aids of the Department of Workforce Education  
 26 for the biennial period ending June 30, 2005, the following:

27

28 ITEM	FISCAL YEARS	
29 <u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
30 (01) VOCATIONAL CENTER GRANTS AND AID	\$ 10,289,250	\$ 10,289,250
31 TOTAL AMOUNT APPROPRIATED	<u>\$ 10,289,250</u>	<u>\$ 10,289,250</u>

32

33 SECTION 22. APPROPRIATION - VOCATIONAL START-UP GRANTS AND AIDS. There is  
 34 hereby appropriated, to the Department of Workforce Education, to be payable  
 35 from the Department of Workforce Education Public School Fund Account, for  
 36 Vocational Start-Up Grants and Aid of the Department of Workforce Education

1 for the biennial period ending June 30, 2005, the following:

3 ITEM	FISCAL YEARS	
4 NO.	2003-2004	2004-2005
5 (01) VOCATIONAL START-UP GRANTS AND AID	\$ 2,370,000	\$ 2,370,000
6 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,370,000</u>	<u>\$ 2,370,000</u>

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

14 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 15 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

16  
 17 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CAPITAL  
 19 EQUIPMENT RESTRICTIONS. The funds appropriated for "Capital Equipment" shall  
 20 be administered by the Department of Workforce Education and shall be used to  
 21 provide additional assistance to local school districts to enhance and/or  
 22 upgrade equipment in existing job-specific programs. Pursuant to policies  
 23 and regulations which include applications, disbursement procedures, and  
 24 matching requirements of the Department of Workforce Education, these funds  
 25 can be used to purchase capital equipment to enhance or technically upgrade  
 26 existing job-specific vocational programs. Such funds shall be distributed  
 27 to local school districts in such amounts, as determined by the Department of  
 28 Workforce Education.

29 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 30 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

31  
 32 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 34 VOCATIONAL START-UP. The appropriations contained herein for Vocational  
 35 Start-Up shall be allocated in accordance with rules and regulations  
 36 established by the State Board of Workforce Education and Career

1 Opportunities, after the rules and regulations have undergone a prior review  
 2 by the Administrative Rules and Regulations Subcommittee of the Arkansas  
 3 Legislative Council or Joint Budget Committee.

4 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 5 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

6  
 7 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 9 EDUCATIONAL TRAINING/RETRAINING. Of the funds and appropriation authorized by  
 10 Item (01) in Section 19 of this Act for Adult Basic and General Adult  
 11 Education, a sum of \$300,000 each fiscal year shall be made available to  
 12 eligible entities approved by the State Board of Workforce Education and  
 13 Career Opportunities, in order to expand the vocational education and  
 14 training opportunities available to area citizens in need of adult  
 15 educational training or retraining due to changing technology.

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

24 The provisions of this section shall be in effect only from July 1, ~~2001~~  
 25 2003 through June 30, ~~2003~~ 2005.

26  
 27 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL  
 29 JTPA VOCATIONAL EDUCATION. No employee of the Department of Workforce  
 30 Education, who is employed as "extra help" by the Dislocated Workers Program  
 31 may receive an amount to exceed eighty-five percent (85%) of the maximum  
 32 annual salary for a comparable position as authorized under Arkansas Code 21-  
 33 5-201 et. seq. during any fiscal year, nor shall such employee be employed  
 34 for a period of time to exceed fourteen ~~eighteen~~ hundred (1400) ~~(1800)~~ hours  
 35 in any single fiscal year.

36 The provisions of this section shall be in effect only from ~~July 1, 2001~~

1 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

2  
 3 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

5 ADDITIONAL TEACHING LOAD. Instructional staff in a postsecondary Technical  
 6 Institute/Vocational Technical School as authorized for the various technical  
 7 institutes may be paid up to ~~thirty five dollars (\$35)~~ forty five dollars  
 8 (\$45) per clock hour for the fiscal year ending June 30, ~~2002~~ 2004 and up to  
 9 ~~forty dollars (\$40)~~ fifty dollars (\$50) per clock hour for the fiscal year  
 10 ending June 30, ~~2003~~ 2005, for non-credit teaching assignments; or, up to  
 11 ~~four hundred dollars (\$400)~~ five hundred dollars (\$500) per semester hour for  
 12 the fiscal year ending June 30, ~~2002~~ 2004, and up to ~~four hundred seventy-~~  
 13 ~~five dollars (\$475)~~ five hundred fifty dollars (\$550) per semester hour for  
 14 the fiscal year ending June 30, ~~2003~~ 2005, for teaching courses beyond the  
 15 defined teaching load; and the employee's maximum allowable salary may be  
 16 exceeded by such amount; provided, however, that such additional teaching  
 17 load may not exceed one hundred fifty (150) clock hours or nine (9) semester  
 18 credit hours per school year. Further, the provisions of this section shall  
 19 only apply to credit and noncredit courses that are funded by Private  
 20 Industry.

21 The provisions of this section shall be in effect only from July 1, ~~2001~~  
 22 2003 through June 30, ~~2003~~ 2005.

23  
 24 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 26 OF FUNDS. Transfer of funds between various established federal accounts for  
 27 educational programs financed by either or both State and Federal funds for  
 28 the purpose of clearing audit exceptions, adjustments in matching  
 29 requirements, or to provide initial program financing or existing program  
 30 financing pending availability of funds from the Federal Government, or for  
 31 the purpose of prorating direct or indirect costs are hereby authorized after  
 32 obtaining the approval of the Chief Fiscal Officer of the State and after  
 33 seeking prior review by the Arkansas Legislative Council or Joint Budget  
 34 Committee.

35 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 36 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORK FORCE 2000 DISTRIBUTION. After the amounts to be made available to the various technical institutes or comprehensive lifelong learning centers have been determined as set out in Arkansas Code 26-51-205(d)(2), such documents as may be necessary shall be processed so that funds may be transferred from the Work Force 2000 Development Fund to the State Treasury fund or fund account from which the technical institute or comprehensive lifelong learning center draws its general revenue support. Such funds as may be transferred shall not exceed 25.55% of the total funds available from the Work Force 2000 Development Fund during each fiscal year of the biennial period ending ~~June 30, 2003~~ June 30, 2005.

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

The provisions of this section shall be in effect only from ~~July 1, 2001~~ July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP RESTRICTION. No employee in a Vocational Technical Institution of the Department of Workforce Education, who is employed as "Extra Help" may receive an amount to exceed eighty-five percent (85%) of the maximum annual salary for a comparable position as authorized under Arkansas Code 21-5-201 et seq. during any fiscal year, nor shall such employee be employed for a period of time to exceed ~~eighteen hundred (1800)~~ fourteen hundred (1400) hours in any single fiscal year.

The provisions of this section shall be in effect only from ~~July 1, 2001~~ July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

1 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 3 TECHNICIAN POSITIONS. The positions of Vo-Tech Technician II and of Vo-Tech  
 4 Technician I, as authorized to the various technical institutes may be  
 5 utilized only in the event that high technology programs are approved by the  
 6 State Board of Workforce Education and Career Opportunities which require  
 7 instructors who cannot be employed at the rates of pay approved for other  
 8 vocational technical instructors. Such positions shall be restricted to use  
 9 in high technology or critical skills area programs as defined by rules and  
 10 regulations promulgated by the State Board.

11 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 12 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

14 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PERSONNEL  
 16 TRANSFER PROVISION. Any positions with supporting appropriation as  
 17 authorized in Section 1 of this Act may be transferred to a technical  
 18 institute as needed. Any positions with supporting appropriation as  
 19 authorized in the various acts of the Technical Institutes may be transferred  
 20 to the Department of Workforce Education as needed. Provided, however, the  
 21 maximum amount of positions or appropriations transferred shall be limited to  
 22 ten percent (10%) of the total number of authorized positions and supporting  
 23 appropriation for any one vocational-technical institution. The transfer of  
 24 any position and supporting appropriation must be requested by the Director,  
 25 Department of Workforce Education, and any such transfer will require prior  
 26 approval of the Governor and the Chief Fiscal Officer of the State. In no  
 27 event shall this language be used to increase the Central Office  
 28 Administration, unless the Governor determines that sufficient savings are to  
 29 be effected in overall administration of the vocational programs of the State  
 30 of Arkansas to justify said transfer.

31 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 32 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

34 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT  
 36 EDUCATION DISTRIBUTION. All funds that become available for Adult Education



1 shall first be distributed to those administrative units determined to be  
 2 operating efficient and effective adult education programs, under criteria  
 3 established by the State Board of Workforce Education and Career  
 4 Opportunities and shall be at the same level as expended by each unit in the  
 5 base level year (hereafter referred to as base funding). The criteria shall  
 6 include the relative efficiency of administration of the program in the  
 7 counties served. For the purposes of this Section, the term "literacy rate"  
 8 shall be determined by the number of adults completing less than the twelfth  
 9 grade as reported by the most recent decennial federal census. Except for  
 10 special projects, 50% of the remaining monies shall be distributed based upon  
 11 the literacy rate per county and 50% shall be distributed on the basis of the  
 12 performance outcomes for the previous year, as established by the State Board  
 13 of Workforce Education and Career Opportunities. Of the funds distributed  
 14 based on literacy rate, no administrative unit shall receive funds for any  
 15 county served above that county's literacy rate cap except for base funds  
 16 received by efficient and effective units. Local administrative costs shall  
 17 not exceed 10% of the total allocation. Unallocated funds will be  
 18 redistributed based upon need as determined by the State Board of Workforce  
 19 Education and Career Opportunities. Further, the State Board of Workforce  
 20 Education and Career Opportunities shall give first consideration and  
 21 priority in the distribution of monies set aside for special projects to  
 22 counties receiving less funding by the formula.

23 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 24 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

25  
 26 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARY  
 28 ADJUSTMENT. In the event that any postsecondary vocational institution  
 29 merges with a contiguous community college, the director of the vocational  
 30 institute shall become eligible for a \$10,000 increase in annual salary and  
 31 the assistant director shall become eligible for a \$5,000 increase in annual  
 32 salary following such a merger.

33 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 34 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

35  
 36 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 2 APPROPRIATIONS CARRYOVER PROVISION. An appropriation received by the various  
 3 technical institutes or comprehensive lifelong learning centers to support  
 4 funds received from the Workforce 2000 Development Fund and which remains at  
 5 the end of any fiscal year shall carry forward into the next fiscal year.

6 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 7 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

8  
 9 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 11 OF FUNDS. The Chief Fiscal Officer of the State shall establish, upon request  
 12 from the Department of Workforce Education, a special appropriation line item  
 13 to be used in the acquisition of promotional items. When the Department of  
 14 Workforce Education wishes to transfer monies from its operating expenses  
 15 appropriation to the Promotional Items line, the State Board of Workforce  
 16 Education and Career Opportunities shall approve the request and forward it  
 17 after receiving prior review and approval by the Arkansas Legislative Council  
 18 or Joint Budget Committee, to the Chief Fiscal Officer of the State for  
 19 processing.

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

1 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 3 VOCATIONAL START-UP. Funds received by the Department of Workforce Education  
 4 for Vocational Start-Up may be allocated in a manner consistent with the  
 5 rules and regulations established to enhance and/or upgrade equipment in  
 6 existing vocational educational programs after receiving prior approval by  
 7 the Arkansas Legislative Council or Joint Budget Committee.  
 8 Determining the maximum number of employees and the maximum amount of  
 9 appropriation and general revenue funding for a state agency each fiscal year  
 10 is the prerogative of the General Assembly. This is usually accomplished by  
 11 delineating such maximums in the appropriation act(s) for a state agency and  
 12 the general revenue allocations authorized for each fund and fund account by  
 13 amendment to the Revenue Stabilization law. Further, the General Assembly  
 14 has determined that the Department of Workforce Education may operate more  
 15 efficiently if some flexibility is provided to the Department of Workforce  
 16 Education authorizing broad powers under this Section. Therefore, it is both  
 17 necessary and appropriate that the General Assembly maintain oversight by  
 18 requiring prior approval of the Legislative Council or Joint Budget Committee  
 19 as provided by this section. The requirement of approval by the Legislative  
 20 Council or Joint Budget Committee is not a severable part of this section.  
 21 If the requirement of approval by the Legislative Council or Joint Budget  
 22 Committee is ruled unconstitutional by a court of competent jurisdiction,  
 23 this entire section is void.

24 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 25 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

27 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITION  
 29 FUNDING RESTRICTION. One position of Surplus Property Inventory Control  
 30 Manager, two positions of Surplus Property Agent, and one position of  
 31 Secretary II authorized in this Act that are assigned to the Federal Surplus  
 32 Property Program are to be paid solely from fees generated by the program.

33 The provisions of this section shall be in effect only from July 1, 2003  
 34 through June 30, 2005.

36 SECTION 40. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED

1 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. VOCATIONAL  
 2 TECHNICAL RETIREMENT CASH FUND. (A) For all appropriations as provided in  
 3 this Act, the agency disbursing officer shall monitor the level of fund  
 4 balances in relation to expenditures on a monthly basis. If any proposed  
 5 expenditures would cause the Vocational Technical Retirement Cash Fund to  
 6 decline below Eighty One Thousand Five Hundred Thirty Dollars (\$81,530) a  
 7 ~~fund balance to decline to less than fifty percent (50%) of the balance~~  
 8 ~~available on July 1, 2001,~~ the disbursing officer shall immediately notify  
 9 the executive head of the agency. Prior to any obligations being made under  
 10 these circumstances, the agency head shall file written documentation with  
 11 the Chief Fiscal Officer of the State requesting approval of the  
 12 expenditures. Such documentation shall provide sufficient financial data to  
 13 justify the expenditures and shall include the following:  
 14 1) a plan that clearly indicates the specific fiscal impact of such  
 15 expenditures on the fund balance.  
 16 2) information clearly indicating and explaining what programs would be cut  
 17 or any other measures to be taken by the agency to restore the fund balance.  
 18 3) the extent to which any of the planned expenditures are for one-time costs  
 19 or one-time purchase of capitalized items.  
 20 4) a statement certifying that the expenditure of fund balances will not  
 21 jeopardize the financial health of the agency, nor result in a permanent  
 22 depletion of the fund balance.  
 23 (B) The Chief Fiscal Officer of the State shall review the request and  
 24 approve or disapprove all or any part of the request, after having sought  
 25 prior review by the Legislative Council.  
 26 The provisions of this section shall be in effect only from July 1, 2003  
 27 through June 30, 2005.

28  
 29 SECTION 41. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 30 by this act shall be limited to the appropriation for such agency and funds  
 31 made available by law for the support of such appropriations; and the  
 32 restrictions of the State Purchasing Law, the General Accounting and  
 33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 34 Procedures and Restrictions Act, or their successors, and other fiscal  
 35 control laws of this State, where applicable, and regulations promulgated by  
 36 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

2  
3 SECTION 42. LEGISLATIVE INTENT. It is the intent of the General Assembly  
4 that any funds disbursed under the authority of the appropriations contained  
5 in this act shall be in compliance with the stated reasons for which this act  
6 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
7 and Legislative Recommendations contained in the budget manuals prepared by  
8 the Department of Finance and Administration, letters, or summarized oral  
9 testimony in the official minutes of the Arkansas Legislative Council or  
10 Joint Budget Committee which relate to its passage and adoption.

11  
12 SECTION 43. EMERGENCY CLAUSE. It is found and determined by the General  
13 Assembly, that the Constitution of the State of Arkansas prohibits the  
14 appropriation of funds for more than a two (2) year period; that the  
15 effectiveness of this Act on July 1, 2003 is essential to the operation of  
16 the agency for which the appropriations in this Act are provided, and that in  
17 the event of an extension of the Regular Session, the delay in the effective  
18 date of this Act beyond July 1, 2003 could work irreparable harm upon the  
19 proper administration and provision of essential governmental programs.  
20 Therefore, an emergency is hereby declared to exist and this Act being  
21 necessary for the immediate preservation of the public peace, health and  
22 safety shall be in full force and effect from and after July 1, 2003.