

State of Arkansas
91st General Assembly
Fiscal Session, 2018

A Bill

HOUSE BILL 1047

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES AND FOR GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE DEPARTMENT OF CAREER EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2019; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF CAREER EDUCATION APPROPRIATION FOR THE 2018-2019 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Department of Career Education for the 2018-2019 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2018-2019
(1)	U061U	ACE DIRECTOR	1	GRADE SE03
(2)	U077U	ACE DEPUTY DIRECTOR CAREER & TECH ED	1	GRADE SE01
(3)	U065U	ACE DEPUTY DIRECTOR	2	GRADE SE01
(4)	G010C	ACE DIVISION MANAGER	5	GRADE GS12
(5)	A031C	ASSISTANT CONTROLLER	1	GRADE GS11
(6)	E061C	ACE PROGRAM COORDINATOR	16	GRADE GS10



(7)	A044C AUDIT COORDINATOR	1	GRADE GS10
(8)	E062C ACE PROGRAM ADVISOR	30	GRADE GS09
(9)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
(10)	R014C PERSONNEL MANAGER	1	GRADE GS08
(11)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
(12)	A060C SENIOR AUDITOR	3	GRADE GS08
(13)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
(14)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
(15)	A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
(16)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
(17)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
(18)	C056C ADMINISTRATIVE SPECIALIST III	7	GRADE GS04
(19)	A098C FISCAL SUPPORT SPECIALIST	3	GRADE GS04
(20)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
(21)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
(22)	C073C ADMINISTRATIVE SPECIALIST II	9	GRADE GS03
(23)	S050C MAINTENANCE SPECIALIST	<u>1</u>	GRADE GS03
	MAX. NO. OF EMPLOYEES	91	

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

There is hereby authorized, for the Department of Career Education - Vocational, Technical, and Adult Education for the 2018-2019 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: sixty-nine (69) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

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

There is hereby appropriated, to the Department of Career Education, to be payable from the Department of Career Education Fund Account, for personal services and operating expenses of the Department of Career Education - Vocational, Technical and Adult Education for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) REGULAR SALARIES	\$3,095,875
(02) EXTRA HELP	13,923
(03) PERSONAL SERVICES MATCHING	963,171
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	979,873
(B) CONF. & TRAVEL	36,251
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) APPRENTICESHIP PROGRAM	1,611,456
(06) MOTOR VEHICLE EDUCATION PROGRAM	<u>2,500</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$6,703,049</u></u>

SECTION 4. APPROPRIATION - ADULT BASIC EDUCATION. There is hereby appropriated, to the Department of Career Education, to be payable from the Department of Career Education Fund Account, for personal services and operating expenses of the Department of Career Education - Adult Basic Education for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) REGULAR SALARIES	\$396,912
(02) PERSONAL SERVICES MATCHING	129,870
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	24,507
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$551,289</u></u>

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

Department of Career Education - High-Tech Scholarship Award Program for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) SCHOLARSHIPS	<u>\$10,000</u>

SECTION 6. EXTRA HELP - FEDERAL VOCATIONAL, TECHNICAL AND ADULT EDUCATION. There is hereby authorized, for the Department of Career Education - Federal Vocational, Technical and Adult Education for the 2018-2019 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: four (4) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 7. APPROPRIATION - FEDERAL VOCATIONAL, TECHNICAL AND ADULT EDUCATION. There is hereby appropriated, to the Department of Career Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses and grants by the Department of Career Education - Federal Vocational, Technical and Adult Education for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) REGULAR SALARIES	\$607,147
(02) EXTRA HELP	13,923
(03) PERSONAL SERVICES MATCHING	208,488
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	666,755
(B) CONF. & TRAVEL	46,175
(C) PROF. FEES	100,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) VOCATIONAL EDUCATION GRANTS	<u>14,240,680</u>

TOTAL AMOUNT APPROPRIATED \$15,883,168

SECTION 8. APPROPRIATION - FEDERAL ADULT BASIC EDUCATION. There is hereby appropriated, to the Department of Career Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants by the Department of Career Education - Federal Adult Basic Education for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) REGULAR SALARIES	\$149,596
(02) PERSONAL SERVICES MATCHING	41,743
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	77,467
(B) CONF. & TRAVEL	25,200
(C) PROF. FEES	9,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) ADULT BASIC EDUCATION GRANTS	<u>7,990,160</u>
TOTAL AMOUNT APPROPRIATED	<u>\$8,293,166</u>

SECTION 9. APPROPRIATION - FEDERAL VETERANS APPROVING AGENCY. There is hereby appropriated, to the Department of Career Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Career Education - Federal Veterans Approving Agency for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) REGULAR SALARIES	\$185,046
(02) PERSONAL SERVICES MATCHING	60,334
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	53,546
(B) CONF. & TRAVEL	9,623

(C) PROF. FEES	600
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$309,149</u></u>

SECTION 10. APPROPRIATION - FEDERAL EQUIPMENT AND TRAINING. There is hereby appropriated, to the Department of Career Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Department of Career Education - Federal Equipment and Training for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$14,800
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$14,800</u></u>

SECTION 11. APPROPRIATION - CONSTRUCTION INDUSTRY CRAFT TRAINING PROGRAM. There is hereby appropriated, to the Department of Career Education, to be payable from the Arkansas Construction Industry Craft Training Trust Fund, for personal services, operating expenses, and grants by the Department of Career Education - Construction Industry Craft Training Program for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) REGULAR SALARIES	\$50,463
(02) PERSONAL SERVICES MATCHING	15,995
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	12,000
(B) CONF. & TRAVEL	7,500

(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) GRANTS TO CONSTRUCTION INDUSTRY CRAFT TRAINING PROGRAM	<u>800,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$885,958</u></u>

SECTION 12. APPROPRIATION - ALTERNATIVE RETIREMENT PROGRAM - CASH.

There is hereby appropriated, to the Department of Career Education, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Career Education, for personal services and operating expenses of the Department of Career Education - Alternative Retirement Program - Cash for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) PERSONAL SERVICES MATCHING	\$110,220
(02) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	12,300
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$122,520</u></u>

SECTION 13. APPROPRIATION - HOUSING CONSTRUCTION PROGRAM. There is hereby appropriated, to the Department of Career Education, to be payable from the Building Trades Revolving Fund, for loans to Secondary Area Technical Centers or other eligible entities, for the purchase of building materials, supplies, and fixtures to be used in the construction of a single family dwelling unit or other non-residential building project through the Housing Construction Program of the Department of Career Education for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
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(01) LOANS \$329,613

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

There is hereby appropriated, to the Department of Career Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Career Education - Law Enforcement Safety Office - Cash for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) LAW ENFORCEMENT SAFETY PROGRAM	<u>\$75,000</u>

SECTION 15. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY.

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 grants by the Department of Career Education - Governor's Commission on Adult Literacy for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) REGULAR SALARIES	\$27,499
(02) PERSONAL SERVICES MATCHING	8,488
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	52,242
(B) CONF. & TRAVEL	6,005
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) GRANTS TO LITERACY COUNCILS	<u>675,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$769,234</u>

SECTION 16. APPROPRIATION - ADULT BASIC AND GENERAL EDUCATION. There is hereby appropriated, to the Department of Career Education, to be payable from the Department of Career Education Public School Fund Account, for Adult

Basic and General Adult Education grants and aid by the Department of Career Education for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) ADULT BASIC & GENERAL ADULT EDUCATION	<u>\$19,860,569</u>

SECTION 17. APPROPRIATION - COORDINATED CAREER EDUCATION SERVICES.

There is hereby appropriated, to the Department of Career Education, to be payable from the Department of Career Education Public School Fund Account, for Coordinated Career Education Services - Special Needs Students Program grants and aid by the Department of Career Education for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) COORDINATED CAREER EDUCATION SERVICES-SPECIAL NEEDS STUDENTS PROGRAM GRANTS & AID	<u>\$1,119,433</u>

SECTION 18. APPROPRIATION - VOCATIONAL CENTER 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 Center grants and aid by the Department of Career Education - Vocational Center Aid for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) VOCATIONAL CENTER GRANTS AND AID	<u>\$20,436,383</u>

SECTION 19. 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, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) VOCATIONAL START-UP GRANTS AND AID	<u>\$2,370,000</u>

SECTION 20. 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, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) GED TEST COSTS	<u>\$788,326</u>

SECTION 21. 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 Career Coaches grants and aid by the Department of Career Education - Career Coaches Program for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) REGULAR SALARIES	\$31,035
(02) PERSONAL SERVICES MATCHING	11,777
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	7,000
(B) CONF. & TRAVEL	8,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) CAREER COACHES GRANTS AND AID	<u>800,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$857,812</u>

SECTION 22. APPROPRIATION - OFFICE OF SKILLS DEVELOPMENT. There is hereby appropriated, to the Department of Career Education, to be payable from the Skills Development Fund, for personal services, operating expenses

and grants by the Department of Career Education - Office of Skills Development for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) REGULAR SALARIES	\$80,424
(02) PERSONAL SERVICES MATCHING	27,539
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	165,000
(B) CONF. & TRAVEL	10,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) WORKFORCE DEVELOPMENT GRANTS	4,500,000
(05) INDUSTRY TRAINING PROGRAM	15,000,000
(06) WORKFORCE IMPROVEMENT GRANTS	3,500,000
(07) CAREER COACHES EXPENSES	2,947,542
(08) INDUSTRY CERTIFICATION TESTING	<u>100,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$26,330,505</u></u>

SECTION 23. APPROPRIATION - LEGISLATIVE TASK FORCE ON WORKFORCE EDUCATION EXCELLENCE. There is hereby appropriated, to the Department of Career Education, to be payable from the Department of Career Education Fund Account, for task force expenses and reimbursements for non-legislative task force members as provided under § 25-16-902 by the Department of Career Education for the fiscal year ending June 30, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(1) LEGISLATIVE TASK FORCE ON WORKFORCE EDUCATION EXCELLENCE EXPENSES AND REIMBURSEMENTS	<u><u>\$100,000</u></u>

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING TRANSFER. The Department of Career Education shall transfer from time to time as needed and at the discretion of the Director, an amount not to exceed

\$100,000 annually from the Skills Development Fund to the Department of Career Education Fund Account to provide for the expenses and reimbursement costs for non-legislative task force members of the Legislative Task Force on Workforce Education Excellence as provided under § 25-16-902 and as appropriated in this Act.

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL MATCHING. The funds appropriated in Sections for Adult Basic and General Adult Education, Coordinated Career Education Services, Vocational Center Aid and Vocational Start-up Grants and Aid of this Act may also be used to match any available federal funds from any agency in order to provide the maximum amount of money possible for the purposes enumerated in such Section.

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. VOCATIONAL START-UP. The funds and appropriations contained herein for Vocational Start-Up shall be allocated in accordance with rules established by the Career Education and Workforce Development Board, after the rules have undergone a review and approval by the Arkansas Legislative Council or Joint Budget Committee under § 10-3-309.

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT EDUCATION DISTRIBUTION. All funds that become available for Adult Education shall be distributed to those administrative units determined to be operating efficient and effective adult education programs, under criteria established by the Career Education and Workforce Development Board. The criteria shall include the relative efficiency of administration of the program in the counties served and achievement of federal performance indicators. The Career

Education and Workforce Development Board shall promulgate rules and regulations for the distribution of funds in accordance with criteria to be determined by the Board. In the distribution of funds to local units the Board shall consider performance in meeting state and federal performance indicators. Unallocated funds will be redistributed based upon need as determined by the Career Education and Workforce Development Board.

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF FUNDS – PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish, upon request from the Department of Career Education, a special appropriation line item to be used in the acquisition of promotional items. When the Department of Career Education wishes to transfer monies from its operating expenses appropriation to the Promotional Items line, the Career Education and Workforce Development Board shall approve the request and forward it after receiving prior review and approval by the Arkansas Legislative Council or Joint Budget Committee, to the Chief Fiscal Officer of the State for processing.

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

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

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

SECTION 30. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 31. EFFECTIVE DATE. This act is effective on and after July 1, 2018.