

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

# A Bill

SENATE BILL 368

5 By: Senators J. English, E. Cheatham, Hickey, U. Lindsey, B. Pierce, D. Sanders, E. Williams  
6 By: Representatives C. Douglas, C. Armstrong, Cozart, Gossage, Lampkin, Lowery, Wardlaw  
7

## For An Act To Be Entitled

9 AN ACT TO CREATE A COMPREHENSIVE STATEWIDE WORKFORCE  
10 DEVELOPMENT SYSTEM; TO RENAME THE STATE BOARD OF  
11 CAREER EDUCATION; TO COORDINATE VARIOUS WORKFORCE  
12 DEVELOPMENT PROGRAMS; TO CREATE A BOARD TO OVERSEE  
13 CAREER EDUCATION AND WORKFORCE DEVELOPMENT IN  
14 ARKANSAS; TO CREATE AN OFFICE OF SKILLS DEVELOPMENT;  
15 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
16  
17

## Subtitle

18 TO CREATE A COMPREHENSIVE STATEWIDE  
19 WORKFORCE DEVELOPMENT SYSTEM; TO  
20 COORDINATE VARIOUS WORKFORCE DEVELOPMENT  
21 PROGRAMS; TO CREATE AN OFFICE OF SKILLS  
22 DEVELOPMENT; AND TO DECLARE AN EMERGENCY.  
23  
24  
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
27

28 SECTION 1. DO NOT CODIFY. Findings.

29 The General Assembly finds that:

30 (1) Occupational, technical, and industrial training provides  
31 unique opportunities to improve the lives of Arkansans while advancing the  
32 state's economic development;

33 (2) Businesses seeking to begin operations in Arkansas look to  
34 the level of education and skills in the workforce as a key factor in making  
35 investment decisions;

36 (3) Currently, Arkansas workforce education proceeds in a



1 variety of agencies, without coordination, often with significant  
 2 inefficiencies arising from overlapping and repeated programming and from  
 3 important programs being overlooked as presumably covered by another program;  
 4 and

5 (4) Bringing coordination of all state and federal career  
 6 education and workforce development programs will:

7 (A) Reduce duplication of programming;

8 (B) Ensure that every Arkansan who seeks occupational,  
 9 technical, and industrial training will find an appropriate education program  
 10 in this state;

11 (C) Bring consistency and efficiency to the state's career  
 12 education and workforce development efforts; and

13 (D) Alert industry to the commitment of the State of  
 14 Arkansas to economic development through career education and workforce  
 15 education.

16  
 17 SECTION 2. Arkansas Code § 11-10-706(f)(1)(A), concerning the proceeds  
 18 of the stabilization tax under the Department of Workforce Services Law, is  
 19 amended to read as follows:

20 (f)(1)(A) ~~Provided, however~~ However, the proceeds of the stabilization  
 21 tax in the amount of two and one-half hundredths of one percent (.025%) of  
 22 taxable wages collected during the period July 1, 2007, through June 30, ~~2015~~  
 23 2019, shall be deposited and credited to the Department of Workforce Services  
 24 Training Trust Fund, there to be used for worker training.

25  
 26 SECTION 3. Arkansas Code § 11-10-706(f)(2)(A), concerning the proceeds  
 27 of the stabilization tax under the Department of Workforce Services Law, is  
 28 amended to read as follows:

29 (2)(A) However, the proceeds of the stabilization tax in the  
 30 amount of two and one-half hundredths of one percent (.025%) of taxable wages  
 31 collected during the period July 1, 2007, through June 30, ~~2015~~ 2019, shall  
 32 be deposited and credited to the Department of Workforce Services  
 33 Unemployment Insurance Administration Fund, there to be used for operating  
 34 expenses of the unemployment insurance program necessary for the proper  
 35 administration of § 11-10-101 et seq., as determined by the Director of the  
 36 Department of Workforce Services.

1  
2 SECTION 4. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended  
3 to add an additional section to read as follows:

4 19-6-829. Skills Development Fund.

5 (a) There is created on the books of the Treasurer of State, the  
6 Auditor of State, and the Chief Fiscal Officer of the State a special revenue  
7 fund to be known as the "Skills Development Fund".

8 (b) The Skills Development Fund shall consist of:

9 (1) Moneys provided by the Work Force 2020 Development Fund;

10 (2) Moneys obtained from private grants or other sources that  
11 are designated to be credited to the Skills Development Fund; and

12 (3) Any other revenues as may be authorized by law.

13 (c) The Skills Development Fund shall be used by the Department of  
14 Career Education – Office of Skills Development as provided in § 25-30-109.

15  
16 SECTION 5. Arkansas Code Title 25, Chapter 30, Subchapter 1, is  
17 amended to read as follows:

18 Subchapter 1 – Career Education and Workforce Development

19  
20 ~~25-30-101. State Board of Career Education~~ Career Education and  
21 Workforce Development Board – Creation – Membership.

22 ~~(a) There is hereby created the State Board of Career Education,~~  
23 ~~hereinafter referred to as "the board"~~ The Career Education and Workforce  
24 Development Board is created.

25 ~~(b) The State Board of Vocational Education created by § 6-11-101 is~~  
26 ~~abolished and transferred to the State Board of Career Education by a type 3~~  
27 ~~transfer under § 25-2-106.~~

28 ~~(c)~~ (b) The State Board of Career Education shall be composed as  
29 follows board shall consist of the following members to be appointed by the  
30 Governor with advice and consent of the Senate:

31 ~~(1) Seven (7) members appointed by the Governor subject to~~  
32 ~~confirmation by the Senate, one (1) member from each congressional district~~  
33 ~~and three (3) members from the state at large; and~~

34 ~~(2) The members shall be selected from among parents, business,~~  
35 ~~industry, labor, persons with disabilities, minorities, and other groups who~~  
36 ~~shall be representative of the many career opportunities available in the~~

1 ~~state such as:~~

2 ~~(A) Administration, business, and finance management;~~

3 ~~(B) Agriculture, forestry, and natural resources;~~

4 ~~(C) Art, media, and communications;~~

5 ~~(D) Construction and extractive;~~

6 ~~(E) Education and training services;~~

7 ~~(F) Health and medical services;~~

8 ~~(G) Hospitality and tourism;~~

9 ~~(H) Legal and protective services;~~

10 ~~(I) Manufacturing, processing, and systems operations;~~

11 ~~(J) Marketing, sales, and promotion;~~

12 ~~(K) Mechanical and technical services and precision~~

13 ~~crafts;~~

14 ~~(L) Natural and applied science and engineering;~~

15 ~~(M) Personal and commercial services; and~~

16 ~~(N) Transportation and material moving.~~

17 (1) As voting members, from a list of recommendations by  
18 industry and business associations:

19 (A) One (1) member to represent the agriculture industry;

20 (B) One (1) member to represent the construction industry;

21 (C) One (1) member to represent the energy industry;

22 (D) One (1) member to represent the healthcare industry;

23 (E) One (1) member to represent the information technology

24 industry;

25 (F) One (1) member to represent the manufacturing

26 industry;

27 (G) One (1) member to represent the financial services

28 industry;

29 (H) One (1) member to represent the hospitality industry;

30 (I) One (1) member to represent the transportation-

31 logistics industry; and

32 (J) One (1) member to represent the rehabilitation

33 services industry;

34 (2) As nonvoting members:

35 (A) The Commissioner of Education;

36 (B) The Director of the Department of Higher Education;

1                    (C) The Executive Director of the Arkansas Community  
2 Colleges;

3                    (D) The Director of the Arkansas Economic Development  
4 Commission; and

5                    (E) The Director of the Department of Workforce Services.

6        ~~(d)(c)(1)~~ The term of office of members shall be seven (7) years,  
7 except that at the first meeting the members shall draw lots for staggered  
8 terms so that no more than one (1) membership shall expire each year on June  
9 30. The industry members shall serve three-year terms, except that the  
10 initial appointees shall serve staggered terms determined by the Governor so  
11 that two (2) members serve a one-year term, three (3) members serve a two-  
12 year term, and two (2) members serve a three-year term.

13                    (2) A voting member may not serve more than two (2) consecutive  
14 three-year terms.

15        ~~(e)(d)(1)~~ A person may not serve as a member of the State Board of  
16 Career Education unless he or she is a qualified elector of this state. A  
17 majority of the membership of the board shall constitute a quorum.

18                    (2) A majority vote of those members present shall be required  
19 for any action of the board.

20        ~~(f)(e)~~ A candidate for or holder of a public office in the state,  
21 Director of the Department of Education or Director of the Department of  
22 Higher Education, employee of a public school district, employee of a  
23 postsecondary or higher education institution, or member of any board of  
24 directors or board of trustees of any postsecondary or higher education  
25 institution in this state shall not serve as a member of the State Board of  
26 Career Education. A vacancy on the board due to death, resignation, removal,  
27 or other cause shall be filled by appointment by the Governor for the  
28 unexpired portion of the term.

29        ~~(g)(f)~~ When a vacancy occurs in the membership of the board, a  
30 successor will be appointed in the same manner as the person succeeded and  
31 will serve the person's unexpired term, subject to all other provisions of  
32 this subchapter. The Governor may remove a voting member of the board before  
33 the expiration of his or her term for cause only, after notice and hearing in  
34 accordance with §§ 25-17-210 and 25-17-211.

35        ~~(h)(g)~~ The members of the State Board of Career Education shall serve  
36 without remuneration, except as specified in § 25-16-901 et seq. for the

1 ~~state board of vocational education.~~ Voting members of the board may receive  
 2 expense reimbursement and stipends under § 25-16-902.

3 ~~(i)(h)~~ The ~~State Board of Career Education~~ board shall elect from its  
 4 own number a chair and ~~such~~ other officers ~~as may be deemed~~ necessary to  
 5 carry on its business.

6 ~~(j)~~ ~~The State Board of Career Education shall meet at least one (1)~~  
 7 ~~time during each calendar quarter and at such other times upon call of the~~  
 8 ~~chair or any other three (3) members.~~

9 ~~(k)(1)~~ ~~The State Board of Career Education shall appoint from its~~  
 10 ~~membership a liaison officer to the State Board of Education, the Arkansas~~  
 11 ~~Higher Education Coordinating Board, the Department of Human Services, the~~  
 12 ~~Department of Workforce Services, and the Arkansas Economic Development~~  
 13 ~~Commission.~~

14 ~~(2)~~ ~~Liaison officers shall attend the board and council meetings~~  
 15 ~~or other appropriate meetings as designated by the chair and shall represent~~  
 16 ~~and articulate the policies of the State Board of Career Education to these~~  
 17 ~~boards, councils, and agencies.~~

18 ~~(l)~~ ~~The Director of the Department of Education and the Director of~~  
 19 ~~the Department of Higher Education shall serve as ex officio nonvoting~~  
 20 ~~members of the State Board of Career Education.~~

21 ~~(m)~~ ~~The Director of the Department of Higher Education and the~~  
 22 ~~Director of the Department of Career Education shall serve as ex officio~~  
 23 ~~nonvoting members of the State Board of Education.~~

24 ~~(n)~~ ~~The Director of the Department of Career Education and the~~  
 25 ~~Director of the Department of Education shall serve as ex officio nonvoting~~  
 26 ~~members of the Arkansas Higher Education Coordinating Board.~~

27  
 28 25-30-102. Powers and duties of the ~~State Board of Career Education~~  
 29 Career Education and Workforce Development Board.

30 ~~(a)~~ ~~On April 24, 1997, the State Board of Career Education shall~~  
 31 ~~become vested with and succeed to all the rights, titles, powers, interests,~~  
 32 ~~obligations, duties, and responsibilities of the State Board of Vocational~~  
 33 ~~Education.~~

34 ~~(b)(a)(1)~~ The ~~State Board of Career Education~~ Career Education and  
 35 Workforce Development Board shall develop and monitor a state plan for  
 36 vocational-technical education which shall include at least the establishment

1 of at least one (1) area vocational center in each education service  
2 cooperative service area and in Pulaski County.

3 (2) All policy issues affecting the public schools will be  
4 developed by the ~~State Board of Career Education~~ Career Education and  
5 Workforce Development Board after consultation with the State Board of  
6 Education and implemented in coordination with the Department of Education or  
7 the education service cooperatives, or both.

8 (e)(b)(1) The ~~State Board of Career Education~~ Career Education and  
9 Workforce Development Board shall have general supervision of all programs  
10 regarding vocational, technical, and occupational education.

11 (2) All of those programs and the funding of those programs  
12 shall be subject to the approval of the ~~board~~ Career Education and Workforce  
13 Development Board.

14 (d)(1)(c)(1) The responsibilities of the ~~State Board of Career~~  
15 Education Career Education and Workforce Development Board shall include, ~~but~~  
16 ~~not be limited to,~~ all vocational, technical, and occupational education,  
17 including without limitation the following:

18 (A) Establishing policies relating to plans and  
19 specifications for facilities and instructional equipment;

20 (B) Prescribing standardized standards for programs and  
21 teachers;

22 (C) Approving applied courses of related academic  
23 instruction; and

24 (D) Other items relative to program quality and operation.

25 (2) The Career Education and Workforce Development Board shall:

26 (A) Administer the career education and workforce  
27 development programs administered by the Career Education and Workforce  
28 Development Board;

29 (B) Adopt rules to administer the Career Education and  
30 Workforce Development Board and the programs developed by the Career  
31 Education and Workforce Development Board, including the creation and  
32 election of officers subsequent to the initial chair;

33 (C) Create a comprehensive statewide program of career  
34 education and workforce development focused on educational opportunities and  
35 retention with the goal of economic development;

36 (D) Coordinate programs and curricula for career education

1 and workforce development;

2 (E) Review and approve program designs for career  
 3 education and workforce development;

4 (F) Review and approve curricula design for career  
 5 education and workforce development;

6 (G) Promote career education and workforce development  
 7 programs and curricula statewide; and

8 (H) Oversee the Office of Skills Development.

9 ~~(2)(3)(A)~~ The State Board of Career Education shall have the  
 10 authority to Career Education and Workforce Development Board may reorganize  
 11 and restructure current programs and personnel in the institutions covered in  
 12 this section.

13 (B) Any savings of appropriated funds effected thereby by  
 14 the reorganization and restructuring may be used by the board Career  
 15 Education and Workforce Development Board for other programs as it deems  
 16 appropriate.

17 ~~(e) The State Board of Career Education shall be responsible for the~~  
 18 ~~administration of all funds appropriated by the General Assembly for public~~  
 19 ~~education based on the average daily membership of students enrolled in~~  
 20 ~~vocational education programs in the public schools, and these funds shall be~~  
 21 ~~administered through the Department of Education.~~

22 ~~(f) All references in the laws of this state to the State Board of~~  
 23 ~~Vocational Education shall be construed to refer to the State Board of Career~~  
 24 ~~Education.~~

25  
 26 25-30-103. Adult education funds.

27 ~~The State Board of Workforce Education and Career Opportunities~~ Career  
 28 Education and Workforce Development Board and the State Board of Education  
 29 shall remain the sole state agencies to administer any and all state and  
 30 federal adult education funds. ~~The board shall distribute federal adult~~  
 31 ~~education funds to participating institutions under the effective and~~  
 32 ~~efficient funding formula as established by the board.~~

33  
 34 25-30-104. Coordination with State Board of Education and Department  
 35 of Education.

36 ~~The State Board of Workforce Education and Career Opportunities~~ Career



1 Education and Workforce Development Board and the State Board of Education  
 2 shall coordinate their activities to ensure that academic, workplace, and  
 3 technical skills create opportunities for a strong comprehensive education  
 4 regardless of the student's ultimate career choice.

5  
 6 25-30-105. Coordination with Arkansas Higher Education Coordinating  
 7 Board and Department of Higher Education.

8 ~~(a) The State Board of Workforce Education and Career Opportunities~~  
 9 Career Education and Workforce Development Board and the Arkansas Higher  
 10 Education Coordinating Board shall coordinate their activities to ensure that  
 11 secondary and postsecondary career preparation is connected to create  
 12 opportunities for a strong comprehensive education regardless of the  
 13 student's ultimate career choice.

14 (b) In addition, the two (2) boards shall participate in a  
 15 collaborative planning process annually for the distribution of federal funds  
 16 for workforce education activities, including vocational-technical education.

17 (c) The distribution shall be pursuant to written agreement between  
 18 the two (2) boards.

19  
 20 25-30-106. Department of Career Education.

21 (a) There is hereby created the Department of Career Education,  
 22 hereinafter referred to as "the department".

23 ~~(b) The Vocational and Technical Education Division of the Department~~  
 24 ~~of Education created by § 25-6-101, the Governor's Commission on Adult~~  
 25 ~~Literacy created by § 6-44-201 [repealed], and the Advisory Council for~~  
 26 ~~Vocational-Technical Education created by § 6-50-601 [repealed] are abolished~~  
 27 ~~and transferred to the Department of Career Education by a type 3 transfer~~  
 28 ~~under § 25-2-106.~~

29 ~~(e)(b)(1)~~ (b)(1) The Arkansas Rehabilitation Services as an agency  
 30 responsible to the ~~State Board of Career Education~~ Career Education and  
 31 Workforce Development Board and as a part of the Department of Career  
 32 Education shall function as an agency in accordance with § 6-52-101 et seq.  
 33 and § 25-30-201 et seq.

34 (2) This subchapter shall assure that the Arkansas  
 35 Rehabilitation Services functions organizationally at a level at least equal  
 36 to that of any division or entity of the Department of Career Education.

1       ~~(d)~~(c) The ~~board~~ Governor shall appoint a director of the Department  
2 of Career Education who shall:

- 3           (1) Be a member of the Governor's cabinet;  
4           (2) Be confirmed by the Governor; and  
5           (3) Serve at the pleasure of the Governor.

6       ~~(e)~~(d) The director shall devote all of his or her time to the duties  
7 of his or her office, shall act as agent of the board, and shall perform such  
8 other duties as are designated by the board or by statute.

9       ~~(f)~~(e) The director shall serve as the ex officio secretary of the  
10 board without vote.

11       ~~(g)~~(f) The person selected as director shall:

- 12           (1) Be of good moral character;  
13           (2) Be recognized as a leader in the field of vocational or  
14 workforce education;  
15           (3) Have a bachelor's degree from an accredited institution; and  
16           (4) Be qualified technically and by experience to direct the  
17 work of the Department of Career Education.

18       ~~(h)~~(g) No person who is related within the fourth degree of  
19 consanguinity or affinity to any member of the board shall be eligible to  
20 serve as director of the Department of Career Education.

21  
22       25-30-107. Powers and duties of the ~~department~~ Department of Career  
23 Education.

24       ~~(a) On April 24, 1997, the Department of Workforce Education shall~~  
25 ~~become vested with and succeed to all the rights, titles, powers, interests,~~  
26 ~~obligations, duties, and responsibilities of the Vocational and Technical~~  
27 ~~Education Division of the Department of Education.~~

28       ~~(b)(a)(1)~~ All personnel of the ~~Department of Workforce Education~~  
29 Department of Career Education shall be employed by and serve at the pleasure  
30 of the Director of the ~~Department of Workforce Education~~ Department of Career  
31 Education.

32       ~~(2) Provided, nothing in this section shall be so construed as~~  
33 ~~to~~ However, this section does not reduce any rights or benefits of employees,  
34 including retirement benefits, that they had when employed by the ~~Vocational~~  
35 ~~and Technical Division of the Department of Education~~ Department of Career  
36 Education.

1           (c)(1) The authority and responsibility of the ~~State Board of~~  
 2 ~~Workforce Education and Career Opportunities~~ Career Education and Workforce  
 3 Development Board and the ~~Department of Workforce Education~~ department shall  
 4 include general control and supervision of all programs of vocational,  
 5 technical, and occupational education in secondary institutions.

6           (2) This authority shall apply to programs in:

- 7           ~~(1)~~(A) State technical institutes;
- 8           ~~(2)~~(B) State postsecondary vocational schools;
- 9           ~~(3)~~(C) State area vocational high school centers;
- 10          ~~(4)~~(D) State public schools; and
- 11          ~~(5)~~(E) Any other public educational facility or

12 institution now in existence or hereafter established in the state with the  
 13 exception of technical colleges, community colleges, universities, and  
 14 colleges.

15          ~~(d) All references in the laws of this state to the Vocational and~~  
 16 ~~Technical Education Division of the Department of Education shall be~~  
 17 ~~construed to refer to the Department of Workforce Education.~~

19          25-30-108. Authority of Director of the ~~Department of Workforce~~  
 20 ~~Education~~ Department of Career Education to enter into contracts.

21          The Director of the ~~Department of Workforce Education~~ is authorized to  
 22 Department of Career Education may enter into contracts with private  
 23 organizations licensed by the State Board of Education or the ~~State Board of~~  
 24 ~~Workforce Education and Career Opportunities~~ Department of Career Education  
 25 in order to provide vocational-technical training to needy citizens of the  
 26 State of Arkansas.

28          25-30-109. ~~Transfer of powers to Arkansas Economic Development~~  
 29 ~~Commission and Department of Economic Development.~~ Office of Skills  
 30 Development - Created - Duties.

31          All powers, functions, and duties heretofore vested in and exercised by  
 32 the ~~Department of Workforce Education~~ with respect to the Arkansas Industry  
 33 ~~Training Program~~ are hereby transferred to and shall hereafter be vested in  
 34 the ~~Arkansas Economic Development Commission and the Department of Economic~~  
 35 ~~Development.~~

36          (a)(1) There is created within the Department of Career Education

1 under the oversight of the Career Education and Workforce Development Board  
2 an Office of Skills Development.

3 (2)(A) The Director of the Office of Skills Development shall be  
4 appointed by the Director of the Department of Career Education in  
5 consultation with the Career Education and Workforce Development Board.

6 (B) The Director of the Department of Career Education may  
7 hire personnel necessary to carry out the duties of the office.

8 (3) The office shall have exclusive authority to award grants  
9 under this section.

10 (b) The office shall:

11 (1)(A) Award grants to public and private organizations for the  
12 development and implementation of workforce training programs.

13 (B) An organization that is awarded a grant under this  
14 section may use the grant for the training of both new and incumbent  
15 employees of businesses in this state.

16 (C) As a condition for receiving a grant under this  
17 subsection, the office may require a public or private organization to  
18 provide matching funds at a percentage to be determined by the office;

19 (2) Design procedures and criteria for awarding grants under  
20 this section;

21 (3) Receive and review applications for grants under this  
22 section;

23 (4) Prescribe the form, nature, and extent of the information  
24 that shall be contained in an application for a grant under this section;

25 (5) Audit and inspect the records of grant recipients;

26 (6) Require reports from grant recipients; and

27 (7)(A) Use the Department of Workforce Services and other  
28 available labor market information systems to collect, analyze, and  
29 disseminate information on current and projected employment opportunities in  
30 this state and other appropriate information relating to labor market  
31 dynamics as determined by the office.

32 (B) The office shall make the information contained in the  
33 labor market information system available on the department's website.

34 (c) On or before October 1 of each year, the office shall submit a  
35 report to the Governor and the cochairs of the Legislative Council providing  
36 an account of the activities and expenditures of the office during the

1 preceding calendar year.

2 (d) The office shall consult with the Arkansas Economic Development  
3 Commission in reviewing applications for workforce training grants under this  
4 section.

5  
6 SECTION 6. Arkansas Code § 25-30-202 is amended to read as follows:

7 25-30-202. Scope of authority.

8 (a) All authorities and responsibilities defined in § 20-79-201 et  
9 seq. shall be administered by the Arkansas Rehabilitation Services under the  
10 direction of the ~~State Board of Workforce Education and Career Opportunities~~  
11 Career Education and Workforce Development Board, except those transferred to  
12 the Division of State Services for the Blind of the Department of Human  
13 Services by § 25-10-201 et seq.

14 (b) Any and all statutory authority, powers, duties, functions,  
15 records, authorized positions, property, unexpended balances of  
16 appropriations, allocations, or other funds transferred from the Division of  
17 Rehabilitation Services to the Department of Human Services by Acts 1985, No.  
18 348, are hereby transferred to the Arkansas Rehabilitation Services of the  
19 ~~Department of Workforce Education~~ Department of Career Education.

20  
21 SECTION 7. Arkansas Code § 26-51-205(d), concerning corporate income  
22 tax for the Work Force 2000 Development Fund, is amended to read as follows:

23 ~~(d)(1) All proceeds derived from the additional tax levied by this~~  
24 ~~section shall be used exclusively for the authorized educational activities~~  
25 ~~of:~~

26 ~~(A) Any postsecondary vocational technical school,~~  
27 ~~technical institute, comprehensive lifelong learning center, technical~~  
28 ~~college, community college; or~~

29 ~~(B) Any postsecondary vocational technical school,~~  
30 ~~technical institute, comprehensive lifelong learning center, or technical~~  
31 ~~college that merges with a two year branch of a four year institution, a~~  
32 ~~four year institution, a technical college, or a community college.~~

33 ~~(2)(A) The distribution of the proceeds shall be supervised by~~  
34 ~~the State Board of Career Education for the postsecondary vocational-~~  
35 ~~technical schools, technical institutes, and comprehensive lifelong learning~~  
36 ~~centers.~~

1                   ~~(B) The distribution of the proceeds for technical~~  
 2 ~~colleges, community colleges, or any postsecondary vocational technical~~  
 3 ~~school, technical institute, comprehensive lifelong learning center, or~~  
 4 ~~technical college that merges with a two-year branch of a four-year~~  
 5 ~~institution, a four-year institution, a technical college, or a community~~  
 6 ~~college shall continue at the same proportion as those distributions made in~~  
 7 ~~fiscal year 1996-1997, excluding one-time capital disbursements and~~  
 8 ~~professional development disbursements made in fiscal year 1996-1997 equal to~~  
 9 ~~the amount of funds distributed in fiscal year 1998-1999.~~

10                   ~~(C) Any increase in the amount of funds in the Work Force~~  
 11 ~~2000 Development Fund above the amount distributed in fiscal year 1998-1999~~  
 12 ~~shall be supervised by the Arkansas Higher Education Coordinating Board and~~  
 13 ~~shall be distributed after a review of needs including, but not limited to,~~  
 14 ~~equity considerations and workforce development and after consultation with~~  
 15 ~~the presidents and chancellors of the technical and former technical~~  
 16 ~~colleges. By September 15, a technical college, community college, or a~~  
 17 ~~postsecondary vocational-technical school, technical institute, comprehensive~~  
 18 ~~lifelong learning center, or technical college that merges with a two-year~~  
 19 ~~branch of a four-year institution, a four-year institution, a technical~~  
 20 ~~college, or a community college that receives disbursements for the Fund~~  
 21 ~~shall present annually the following data to the Legislative Council or Joint~~  
 22 ~~Budget Committee:~~

23                   ~~(1) The amount of funding received from the Work Force 2020~~  
 24 ~~Development fund during the previous fiscal year;~~

25                   ~~(2) A summary of expenditures from the Work Force 2020~~  
 26 ~~Development fund from the previous fiscal year;~~

27                   ~~(3) A budget for the current fiscal year Work Force 2020~~  
 28 ~~Development fund;~~

29                   ~~(4) A summary of activities outlining the workforce development~~  
 30 ~~training and mission and how funding from the Work Force 2020 Development~~  
 31 ~~fund is to be used to fulfill that mission; and~~

32                   ~~(5) Other information available to explain and justify the~~  
 33 ~~continued use and need for Work Force 2020 Development funding.~~

34  
 35                   SECTION 8. DO NOT CODIFY. ~~(a) The Governor shall call the first~~  
 36 ~~meeting of the Career Education and Workforce Development Board within ninety~~

1 (90) days after the appointment of the industry members.

2 (b) The Governor shall appoint a voting member as chair of the board  
3 to serve a one-year term.

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5 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the  
6 General Assembly of the State of Arkansas that Arkansas workforce education  
7 operates within a variety of agencies without coordination, often with  
8 significant inefficiencies arising from overlapping and repeated programming;  
9 that this act will bring workforce education programs together under a single  
10 umbrella agency; and that this act is immediately necessary because the  
11 effectiveness of this act is essential to the operation of the programs for  
12 which appropriations will be provided, and that in the event of an extension  
13 of the legislative session, the delay in the effective date of this act could  
14 work irreparable harm upon the proper administration and provision of  
15 essential governmental programs. Therefore, an emergency is declared to  
16 exist, and this act being immediately necessary for the preservation of the  
17 public peace, health, and safety shall become effective on:

18 (1) The date of its approval by the Governor;

19 (2) If the bill is neither approved nor vetoed by the Governor,  
20 the expiration of the period of time during which the Governor may veto the  
21 bill; or

22 (3) If the bill is vetoed by the Governor and the veto is  
23 overridden, the date the last house overrides the veto.