

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 1378

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 FOR THE ARKANSAS  
11 VALLEY TECHNICAL INSTITUTE FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2005; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE ARKANSAS VALLEY  
17 TECHNICAL INSTITUTE APPROPRIATION FOR  
18 THE 2003-2005 BIENNIUM.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas  
25 Valley Technical Institute for the 2003-2005 biennium, the following maximum  
26 number of regular employees whose salaries shall be governed by the  
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
29 Provided, however, that any position to which a specific maximum annual  
30 salary is set out herein in dollars, shall be exempt from the provisions of  
31 said Uniform Classification and Compensation Act. All persons occupying  
32 positions authorized herein are hereby governed by the provisions of the  
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
34 or its successor.  
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36 Maximum Annual



01302003KCA1547.KCA532

Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years	2003-2004	2004-2005
4	(1) 9752	VO TECH TECHNICIAN II	1		\$61,851	\$63,427
5	(2) 9753	VO TECH TECHNICIAN I	5		\$56,320	\$57,790
6	(3) 9046	WORKFORCE ED FACULTY	22		\$52,392	\$53,807
7	(4) 9047	WORKFORCE ED PART TIME FACULTY	8		\$17,939	\$18,509
8	(5) 247Z	ED VO TECH SCHOOL DIRECTOR	1		GRADE 25	
9	(6) 482Z	ED VO TECH SCHOOL ASST DIR	3		GRADE 23	
10	(7) 005Z	FINANCIAL AID DIRECTOR - TI	1		GRADE 21	
11	(8) M100	VOCATIONAL COUNSELOR	1		GRADE 21	
12	(9) G028	BLDG PLANT MAINTENANCE SUPV II	1		GRADE 18	
13	(10) N328	INFORMATION OFFICER II	1		GRADE 18	
14	(11) E080	VOCATIONAL INSTRUCTOR I	4		GRADE 17	
15	(12) R010	ADMINISTRATIVE ASSISTANT II	1		GRADE 17	
16	(13) R440	BUSINESS CONTROLLER II	1		GRADE 16	
17	(14) A108	ACCOUNTING TECHNICIAN II	1		GRADE 15	
18	(15) K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1		GRADE 14	
19	(16) K153	SECRETARY II	5		GRADE 13	
20	(17) R125	PERSONNEL OFFICER	1		GRADE 13	
21	(18) G109	BLDG/EQUIP MAINT REPAIRMAN II	<u>3</u>		GRADE 08	
22		MAX. NO. OF EMPLOYEES	61			

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24 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
 25 Valley Technical Institute 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: fifty six (56)  
 28 temporary or part-time employees, when needed, at rates of pay not to exceed  
 29 those provided in the Uniform Classification and Compensation Act, or its  
 30 successor, or this act for the appropriate classification.

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32 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the  
 33 Arkansas Valley Technical Institute, to be payable from the Arkansas Valley  
 34 Technical Institute Fund, for personal services and operating expenses of the  
 35 Arkansas Valley Technical Institute - State for the biennial period ending  
 36 June 30, 2005, the following:

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ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 1,478,790	\$ 1,478,790
(02) EXTRA HELP	140,567	140,567
(03) PERSONAL SERV MATCH	525,448	525,448
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	370,246	370,246
(B) CONF. & TRAVEL	1,700	1,700
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	78,198	78,198
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,594,949</u>	<u>\$ 2,594,949</u>

SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the Arkansas Valley Technical Institute, 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 Arkansas Valley Technical Institute - Federal for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 65,835	\$ 67,060
(02) EXTRA HELP	25,240	25,240
(03) PERSONAL SERV MATCH	26,023	26,325
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	30,340	31,340
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	30,000	30,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 177,438</u>	<u>\$ 179,965</u>

SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the Arkansas Valley Technical Institute, to be payable from cash funds as defined

1 by Arkansas Code 19-4-801 of the Arkansas Valley Technical Institute, for  
 2 personal services and operating expenses of the Arkansas Valley Technical  
 3 Institute - Cash for the biennial period ending June 30, 2005, the following:

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6 ITEM		FISCAL YEARS	
7 NO.		2003-2004	2004-2005
8 (01)	REGULAR SALARIES	\$ 114,621	\$ 117,715
9 (02)	EXTRA HELP	67,000	67,000
10 (03)	PERSONAL SERV MATCH	56,944	57,708
11 (04)	MAINT. & GEN. OPERATION		
12 (A)	OPER. EXPENSE	320,472	320,472
13 (B)	CONF. & TRAVEL	15,746	15,746
14 (C)	PROF. FEES	300,000	300,000
15 (D)	CAP. OUTLAY	0	0
16 (E)	DATA PROC.	0	0
17 (05)	RESALE	134,185	134,185
18 (06)	DEBT SERVICE	<u>30,518</u>	<u>30,518</u>
19	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,039,486</u>	<u>\$ 1,043,344</u>

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21 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 23 CONTINGENCY. (a) To address needs emerging from the restructuring of the  
 24 Technical Institutes, Arkansas Valley Technical Institute shall establish and  
 25 maintain for the ~~2001-2003~~ 2003-2005 biennium a pool of four (4) unclassified  
 26 positions and three (3) classified positions, payable from funds appropriated  
 27 for Arkansas Valley Technical Institute. These positions are to be used by  
 28 Arkansas Valley Technical Institute in the event that the number and level of  
 29 positions available to address the needs emerging from business and industry  
 30 driven program expansions exceeds the number of positions regularly  
 31 authorized for Arkansas Valley Technical Institute.  
 32 (b) Arkansas Valley Technical Institute shall provide justification to the  
 33 Department of Finance and Administration's Office of Personnel Management  
 34 (OPM) for the need to allocate titles from this position pool. No  
 35 classifications will be assigned to the pool until such time as specific  
 36 positions are requested and justified by Arkansas Valley Technical Institute,

1 recommended by OPM and approved by the Legislative Council. Arkansas Valley  
 2 Technical Institute may transfer positions from this pool to any pay schedule  
 3 the agency currently maintains or any pay schedule the agency receives during  
 4 the ~~2001-2003~~ 2003-2005 biennium.

5 (c) Determining the number of personnel to be employed by a state agency is  
 6 the prerogative of the General Assembly and is usually accomplished by  
 7 delineating the maximum number of personnel by identifying job titles and the  
 8 maximum grade or salary attached to those titles. The General Assembly has  
 9 determined that Arkansas Valley Technical Institute could be operated more  
 10 efficiently if some flexibility is given to that agency. That flexibility is  
 11 being accomplished by providing growth pools in subsection (a) of this  
 12 section and since the General Assembly has granted the agency broad powers  
 13 under the growth pool concept, it is both necessary and appropriate that the  
 14 General Assembly maintain oversight of the utilization of the growth pool by  
 15 requiring prior approval of the Legislative Council in the utilization of the  
 16 growth pool. Therefore, the requirement of approval by the Legislative  
 17 Council is not a severable part of this section. If the requirement of  
 18 approval by the Legislative Council is ruled unconstitutional by a court  
 19 jurisdiction, this entire section is void.

20 If the agency requests continuation of a "Growth Pool" position(s) as  
 21 established herein during the next biennium, the position(s) must be  
 22 requested as a new position(s) in the agencies biennial budget request.

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.

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 26 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME  
 28 FACULTY. The Technical Institutes are not required to remit a state  
 29 contribution to the state employee insurance trust fund on Workforce  
 30 Education Part-time Faculty Positions unless the position will be utilized  
 31 for more than 1,000 hours a year.

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

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 35 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 36 by this act shall be limited to the appropriation for such agency and funds

1 made available by law for the support of such appropriations; and the  
2 restrictions of the State Purchasing Law, the General Accounting and  
3 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
4 Procedures and Restrictions Act, or their successors, and other fiscal  
5 control laws of this State, where applicable, and regulations promulgated by  
6 the Department of Finance and Administration, as authorized by law, shall be  
7 strictly complied with in disbursement of said funds.

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

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18 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General  
19 Assembly, that the Constitution of the State of Arkansas prohibits the  
20 appropriation of funds for more than a two (2) year period; that the  
21 effectiveness of this Act on July 1, 2003 is essential to the operation of  
22 the agency for which the appropriations in this Act are provided, and that in  
23 the event of an extension of the Regular Session, the delay in the effective  
24 date of this Act beyond July 1, 2003 could work irreparable harm upon the  
25 proper administration and provision of essential governmental programs.  
26 Therefore, an emergency is hereby declared to exist and this Act being  
27 necessary for the immediate preservation of the public peace, health and  
28 safety shall be in full force and effect from and after July 1, 2003.