

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1161

4
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 NORTHWEST
11 TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE NORTHWEST TECHNICAL
16 INSTITUTE APPROPRIATION FOR THE
17 2005-2007 BIENNIUM.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Northwest Technical Institute for the 2005-2007 biennium, the following
25 maximum number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate



Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2005-2006	2006-2007
3	(1)	9752 VO TECH TECHNICIAN II	10	\$65,182	\$66,970
4	(2)	9753 VO TECH TECHNICIAN I	3	\$59,436	\$61,115
5	(3)	9046 WORKFORCE ED FACULTY	27	\$55,351	\$56,952
6	(4)	247Z ED VO TECH SCHOOL DIRECTOR	1	GRADE	25
7	(5)	482Z ED VO TECH SCHOOL ASST DIR	3	GRADE	23
8	(6)	D036 SR PROGRAMMER/ANALYST	2	GRADE	21
9	(7)	M100 VOCATIONAL COUNSELOR	2	GRADE	21
10	(8)	R144 PROGRAM COORDINATOR	1	GRADE	20
11	(9)	R032 ASST REGISTRAR	1	GRADE	18
12	(10)	G028 BLDG PLANT MAINTENANCE SUPV II	1	GRADE	18
13	(11)	R190 PERSONNEL OFFICER II	1	GRADE	17
14	(12)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
15	(13)	R009 ADMINISTRATIVE ASSISTANT I	1	GRADE	15
16	(14)	A063 PAYROLL OFFICER	1	GRADE	15
17	(15)	A108 ACCOUNTING TECHNICIAN II	2	GRADE	15
18	(16)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE	14
19	(17)	R041 BOOKSTORE OFFICE MANAGER	1	GRADE	14
20	(18)	K153 SECRETARY II	3	GRADE	13
21	(19)	E017 INSTITUTION ASSISTANT LIBRARIAN	1	GRADE	13
22	(20)	G165 WORK MAINTENANCE LEADER	1	GRADE	10
23	(21)	G109 BLDG/EQUIP MAINT REPAIRMAN II	<u>2</u>	GRADE	08
24		MAX. NO. OF EMPLOYEES	67		

25

26 SECTION 2. EXTRA HELP. There is hereby authorized, for the Northwest
 27 Technical Institute for the 2005-2007 biennium, the following maximum number
 28 of part-time or temporary employees, to be known as "Extra Help", payable
 29 from funds appropriated herein for such purposes: one hundred seven (107)
 30 temporary or part-time employees, when needed, at rates of pay not to exceed
 31 those provided in the Uniform Classification and Compensation Act, or its
 32 successor, or this act for the appropriate classification.

33

34 SECTION 3. APPROPRIATION - EDUCATIONAL AND TRAINING PROGRAM. There is
 35 hereby appropriated, to be payable from the funds and fund accounts as set
 36 out herein, to the Northwest Technical Institute for the biennial period

1 ending June 30, 2007, the following:

2 (a) For the Educational and Training Program, the sum of \$6,332,367 for the
 3 2005-2006 fiscal year and \$6,429,061 for the 2006-2007 fiscal year.

4 (1) Program Description. The workforce education and training program
 5 consists of related activities designed to provide academic and technical
 6 instruction, hands-on skills training and supporting services.

7	(2) Appropriation payable from:	FISCAL YEARS	
8		<u>2005-2006</u>	<u>2006-2007</u>
9	(A) General Revenue:		
10	Northwest Technical Institute		
11	Fund	\$ <u>2,262,762</u>	\$ <u>2,322,127</u>
12	TOTAL General Revenue	\$ 2,262,762	\$ 2,322,127
13	(B) Federal Funds as designated by		
14	the Chief Fiscal Officer of the		
15	State	\$ 104,799	\$ 108,255
16	(C) Other Funds	\$ 2,392,945	\$ 2,241,754

17	(3) Performance Targets:		
18	(A) Number of students served as		
19	measured by the G-*Stars Report.		
20	(Adult Education)	1,680	1,705
21	(B) Percentage of placement of		
22	full-time graduates (students		
23	placed in a job related to their		
24	training or enrolled in further		
25	training).	82%	83%
26	(C) Total number of non-credit clock		
27	hours of education/training		
28	completed. (Business/Industry		
29	training, apprenticeship,		
30	extension classes, etc.)	128,940	129,440
31	(D) Total number of student semester		
32	credit hours of		
33	education/training completed.	13,484	13,619

34
 35 SECTION 4. APPROPRIATION - ADMINISTRATION AND SUPPORT PROGRAM. There is
 36 hereby appropriated, to be payable from the funds and fund accounts as set

1 out herein, to the Northwest Technical Institute for the biennial period
2 ending June 30, 2007, the following:

3 (a) For the Administration and Support Program, the sum of \$727,559 for the
4 2005-2006 fiscal year and \$743,734 for the 2006-2007 fiscal year.

5 (1) Program Description. The workforce education and training program
6 consists of the personnel, maintenance and operations, building and grounds,
7 and equipment resources needed to facilitate the education and training
8 program.

9	(2) Appropriation payable from:	FISCAL YEARS	
10		<u>2005-2006</u>	<u>2006-2007</u>
11	(A) General Revenue:		
12	Northwest Technical Institute		
13	Fund	\$ <u>626,644</u>	\$ <u>642,819</u>
14	TOTAL General Revenue	\$ 626,644	\$ 642,819
15	(B) Other Funds	\$ 100,915	\$ 100,915

16	(3) Performance Targets:		
17	(A) Number of prior year audit		
18	findings repeated in subsequent		
19	audits. (*)With the exception of		
20	the usual "Segregation of Duties"		
21	finding which is common to most		
22	small agencies.	None*	None*
23	(B) Operating expenditures of the		
24	Administrative & Support Program		
25	as a percent of the total		
26	operating budget for the		
27	institute.	27%	26%

28
29 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

31 CONTINGENCY. (a) To address needs emerging from the restructuring of the
32 Technical Institutes, Northwest Technical Institute shall establish and
33 maintain for the ~~2003-2005~~ 2005-2007 biennium a pool of four (4)
34 unclassified positions and three (3) classified positions, payable from funds
35 appropriated for Northwest Technical Institute. These positions are to be
36 used by Northwest Technical Institute in the event that the number and level

1 of positions available to address the needs emerging from business and
 2 industry driven program expansions exceeds the number of positions regularly
 3 authorized for Northwest Technical Institute.

4 (b) Northwest Technical Institute shall provide justification to the
 5 Department of Finance and Administration's Office of Personnel Management
 6 (OPM) for the need to allocate titles from this position pool. No
 7 classifications will be assigned to the pool until such time as specific
 8 positions are requested and justified by Northwest Technical Institute,
 9 recommended by OPM and approved by the Legislative Council. Northwest
 10 Technical Institute may transfer positions from this pool to any pay schedule
 11 the agency currently maintains or any pay schedule the agency receives during
 12 the ~~2003-2005~~ 2005-2007 biennium.

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

28 If the agency requests continuation of a "Growth Pool" position(s) as
 29 established herein during the next biennium, the position(s) must be
 30 requested as a new position(s) in the agency's biennial budget request.
 31 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005
 32 through June 30, ~~2005~~ 2007.

33
 34 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME
 36 FACULTY. The Technical Institutes are not required to remit a state

1 contribution to the state employee insurance trust fund on Workforce
 2 Education Part-time Faculty Positions unless the position will be utilized
 3 for more than 1,000 hours a year.

4 The provisions of this section shall be in effect only from July 1, 2003
 5 2005 through June 30, ~~2005~~ 2007.

6
 7 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 ADDITIONAL TEACHING LOAD. Instructional staff at Northwest Technical
 10 Institute, may be paid up to forty five (\$45) per clock hour for the fiscal
 11 year ending June 30,2006 and up to fifty dollars (\$50) per clock hour for the
 12 fiscal year ending June 30,2007, for non-credit teaching assignments; or up
 13 to five hundred dollars (\$500) per semester hour for the fiscal year ending
 14 June 30, 2006, and up to five hundred fifty (\$550) per semester hour for the
 15 fiscal year ending June 30, 2007, for teaching courses beyond the defined
 16 teaching load; and the employee’s maximum allowable salary may be exceeded by
 17 such amount; provided, however, that such additional teaching load may not
 18 exceed one hundred fifty (150) clock hours or nine (9) semester credit hours
 19 per school year. Further, the provisions of this section shall only apply to
 20 credit and noncredit courses that are funded by Private Industry.

21
 22 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 24 HELP RESTRICTION. No employee at Northwest Technical Institute, who is
 25 employed as “Extra Help” may exceed eighty-five percent of the maximum annual
 26 salary for a comparable position as authorized under Arkansas Code 21-5-201
 27 et seq. during any fiscal year, nor shall such employee be employed for a
 28 period of time to exceed fourteen hundred (1400) hours in any single fiscal
 29 year. The provisions of this section shall be in effect only from July 1,
 30 2005 through June 30, 2007.

31
 32 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 33 by this act shall be limited to the appropriation for such agency and funds
 34 made available by law for the support of such appropriations; and the
 35 restrictions of the State Procurement Law, the General Accounting and
 36 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

1 Procedures and Restrictions Act, or their successors, and other fiscal
2 control laws of this State, where applicable, and regulations promulgated by
3 the Department of Finance and Administration, as authorized by law, shall be
4 strictly complied with in disbursement of said funds.

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

14
15 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General
16 Assembly, that the Constitution of the State of Arkansas prohibits the
17 appropriation of funds for more than a two (2) year period; that the
18 effectiveness of this Act on July 1, 2005 is essential to the operation of
19 the agency for which the appropriations in this Act are provided, and that in
20 the event of an extension of the Regular Session, the delay in the effective
21 date of this Act beyond July 1, 2005 could work irreparable harm upon the
22 proper administration and provision of essential governmental programs.
23 Therefore, an emergency is hereby declared to exist and this Act being
24 necessary for the immediate preservation of the public peace, health and
25 safety shall be in full force and effect from and after July 1, 2005.