

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 86th General Assembly  
3 Regular Session, 2007  
4

*As Engrossed: H3/15/07 H3/22/07*

# A Bill

HOUSE BILL 1142

5 By: Joint Budget Committee  
6  
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## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE  
11 DEPARTMENT OF EDUCATION - EDUCATIONAL TELEVISION  
12 DIVISION FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
13 2009; AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE DEPARTMENT OF EDUCATION  
17 - EDUCATIONAL TELEVISION DIVISION  
18 APPROPRIATION FOR THE 2007-2009  
19 BIENNIUM.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. REGULAR SALARIES. There is hereby established for the  
26 Department of Education - Educational Television Division for the 2007-2009  
27 biennium, the following maximum number of regular employees whose salaries  
28 shall be governed by the provisions of the Uniform Classification and  
29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and  
30 all laws amendatory thereto. Provided, however, that any position to which a  
31 specific maximum annual salary is set out herein in dollars, shall be exempt  
32 from the provisions of said Uniform Classification and Compensation Act. All  
33 persons occupying positions authorized herein are hereby governed by the  
34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
35 Code §21-5-101), or its successor.  
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				Maximum	Maximum Annual
				No. of	Salary Rate
	Item	Class		Employees	Fiscal Years
	No.	Code	Title		2007-2008 2008-2009
5	(1)	9946	ED DIRECTOR ETV	1	\$96,158 \$98,081
6	(2)	7344	ASSOCIATE DIRECTOR OF ETV	1	\$83,149 \$84,811
7	(3)	7358	ED ETV DIRECTOR OF ENGINEERING	1	\$81,937 \$83,575
8	(4)	827Z	DP CENTER MANAGER	1	GRADE 26
9	(5)	R005	ED ASSISTANT TO DIRECTOR	1	GRADE 26
10	(6)	211Z	ETV COMMUNICATIONS DIVISION DIRECTO	1	GRADE 24
11	(7)	249Z	ETV EDUCATION DIVISION DIRECTOR	1	GRADE 24
12	(8)	288Z	ETV PROGRAMMING DIVISION DIRECTOR	1	GRADE 24
13	(9)	292Z	ETV ADMIN AND FINANCE DIV DIR	1	GRADE 24
14	(10)	035Z	ETV PRODUCTION DIVISION DIR	2	GRADE 24
15	(11)	F002	ETV CHIEF ENGINEER	3	GRADE 24
16	(12)	055Z	DP MANAGER	2	GRADE 23
17	(13)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22
18	(14)	D066	SYSTEMS COORDINATION ANALYST II	6	GRADE 22
19	(15)	E064	TV CURRICULUM UTILIZATION COORD	8	GRADE 21
20	(16)	F036	TV PRODUCER	13	GRADE 21
21	(17)	F046	ETV CREATIVE SERVICES SUPERVISOR	1	GRADE 21
22	(18)	A008	ACCOUNTING SUPERVISOR II	2	GRADE 21
23	(19)	D036	SR PROGRAMMER/ANALYST	1	GRADE 21
24	(20)	D055	WEBSITE COORDINATOR II	1	GRADE 20
25	(21)	R167	TELEVISION PROMOTION SUPERVISOR	3	GRADE 20
26	(22)	R266	MANAGEMENT PROJECT ANALYST II	3	GRADE 20
27	(23)	N350	ETV PROGRAM DEPARTMENT SUPERVISOR	1	GRADE 19
28	(24)	P312	FACILITY MANAGER IV	1	GRADE 19
29	(25)	A110	ACCOUNTANT II	1	GRADE 19
30	(26)	E074	TRAINING REPRESENTATIVE	5	GRADE 19
31	(27)	E062	STUDENT ADVISOR	1	GRADE 18
32	(28)	F006	TV MICROWAVE SPECIALIST	3	GRADE 18
33	(29)	F008	ETV VIDEO TECHNICIAN II	1	GRADE 18
34	(30)	F014	ETV BROADCAST SPEC. I	7	GRADE 18
35	(31)	D032	JR SYSTEMS PROGRAMMER	1	GRADE 18
36	(32)	N328	INFORMATION OFFICER II	1	GRADE 18

1	(33)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
2	(34)	R010	ADMINISTRATIVE ASSISTANT II	8	GRADE 17
3	(35)	R190	PERSONNEL OFFICER II	1	GRADE 17
4	(36)	N355	PHOTOGRAPHER	2	GRADE 17
5	(37)	F027	TV ENGINEER	3	GRADE 17
6	(38)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	1	GRADE 17
7	(39)	E092	MULTI-MEDIA SPECIALIST	1	GRADE 17
8	(40)	F001	ETV PRODUCTION TECHNICIAN II	6	GRADE 17
9	(41)	F025	TV CONTINUITY EDITOR	1	GRADE 16
10	(42)	F043	ETV VIDEO TECHNICIAN	4	GRADE 16
11	(43)	F004	ETV PRODUCTION TECHNICIAN I	1	GRADE 15
12	(44)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15
13	(45)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14
14	(46)	K153	SECRETARY II	1	GRADE 13
15	(47)	G109	BLDG/EQUIP MAINT REPAIRMAN II	<u>1</u>	GRADE 08
16			MAX. NO. OF EMPLOYEES	113	

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18 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
 20 HELP – STATE OPERATIONS. There is hereby authorized, for the Department of  
 21 Education - Educational Television Division – State Operations for the ~~2005–~~  
 22 ~~2007~~ 2007–2009 biennium, the following maximum number of part-time or  
 23 temporary employees, to be known as "Extra Help", payable from funds  
 24 appropriated herein for such purposes: five (5) temporary or part-time  
 25 employees, when needed, at rates of pay not to exceed those provided in the  
 26 Uniform Classification and Compensation Act, or its successor, for the  
 27 appropriate classification. Many of these positions are related to specific  
 28 projects, and those positions so related are specifically exempt from  
 29 limitations of hours, either by act or regulation.

30 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 31 2007 through June 30, ~~2007~~ 2009.

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33 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,  
 34 to the Department of Education - Educational Television Division, to be  
 35 payable from the Educational Television Fund Account, for personal services  
 36 and operating expenses of the Department of Education - Educational

1 Television Division - State Operations for the biennial period ending June  
 2 30, 2009, the following:

4	ITEM	FISCAL YEARS	
5	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
6	(01) REGULAR SALARIES	\$ 3,092,411	\$ 3,154,174
7	(02) EXTRA HELP	8,800	8,800
8	(03) PERSONAL SERVICES MATCHING	1,003,500	1,016,919
9	(04) MAINT. & GEN. OPERATION		
10	(A) OPER. EXPENSE	905,951	905,951
11	(B) CONF. & TRAVEL	0	0
12	(C) PROF. FEES	20,000	20,000
13	(D) CAP. OUTLAY	50,000	50,000
14	(E) DATA PROC.	0	0
15	(05) PROMOTIONAL ITEMS	<u>5,000</u>	<u>5,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,085,662</u>	<u>\$ 5,160,844</u>

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 18 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
 20 HELP – CASH OPERATIONS. There is hereby authorized, for the Department of  
 21 Education - Educational Television Division - Cash Operations for the ~~2005-~~  
 22 ~~2007~~ 2007-2009 biennium, the following maximum number of part-time or  
 23 temporary employees, to be known as "Extra Help", payable from funds  
 24 appropriated herein for such purposes: forty six (46) ~~thirty six (36)~~  
 25 temporary or part-time employees, when needed, at rates of pay not to exceed  
 26 those provided in the Uniform Classification and Compensation Act, or its  
 27 successor, for the appropriate classification. Many of these positions are  
 28 related to specific projects, and those positions so related are specifically  
 29 exempt from limitations of hours, either by act or regulation.

30 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 31 2007 through June 30, ~~2007~~ 2009.

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 33 SECTION 5. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated,  
 34 to the Department of Education - Educational Television Division, to be  
 35 payable from the cash fund deposited in the State Treasury as determined by  
 36 the Chief Fiscal Officer of the State, for personal services and operating

1 expenses of the Department of Education - Educational Television Division -  
 2 Cash Operations for the biennial period ending June 30, 2009, the following:

4 ITEM	FISCAL YEARS	
5 NO.	2007-2008	2008-2009
6 (01) REGULAR SALARIES	\$ 1,072,951	\$ 1,094,394
7 (02) EXTRA HELP	765,655	765,655
8 (03) PERSONAL SERVICES MATCHING	434,768	439,428
9 (04) MAINT. & GEN. OPERATION		
10 (A) OPER. EXPENSE	5,856,498	5,856,498
11 (B) CONF. & TRAVEL	141,437	141,437
12 (C) PROF. FEES	1,207,715	1,207,715
13 (D) CAP. OUTLAY	250,000	250,000
14 (E) DATA PROC.	0	0
15 (05) PROMOTIONAL ITEMS	<u>15,000</u>	<u>15,000</u>
16 TOTAL AMOUNT APPROPRIATED	<u>\$ 9,744,024</u>	<u>\$ 9,770,127</u>

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 18 SECTION 6. APPROPRIATION - CONTINGENCY. There is hereby appropriated, to  
 19 the Department of Education - Educational Television Division, to be payable  
 20 from the paying account as determined by the Chief Fiscal Officer of the  
 21 State, for the AETN/UCA complex to meet the needs of the Digital Television  
 22 and Americans with Disabilities federal mandates of the Department of  
 23 Education - Educational Television Division for the biennial period ending  
 24 June 30, 2009, the following:

26 ITEM	FISCAL YEARS	
27 NO.	2007-2008	2008-2009
28 (01) CONTINGENCY	<u>\$ 1,318,703</u>	<u>\$ 1,318,703</u>

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 30 SECTION 7. APPROPRIATION - HONORING ARKANSAS' WAR HEROES. There is hereby  
 31 appropriated, to the Department of Education - Educational Television  
 32 Division, to be payable from the Educational Television Fund Account, for  
 33 personal services and operating expenses for the "Honoring Arkansas' War  
 34 Heroes - Documenting Stories of Arkansas' World War II Veterans"  
 35 documentation project of the Department of Education - Educational Television  
 36 Division for the biennial period ending June 30, 2009, the following:

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) HONORING ARKANSAS' WAR HEROES	\$ <u>125,000</u>	\$ <u>125,000</u>

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

PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request for the Department of Education - Educational Television Division a special appropriation line item not to exceed \$25,000 each fiscal year to be used in the acquisition of promotional items. When the Department of Education - Educational Television Division wishes to transfer monies from its operating expenses appropriation to the promotional items line, for Educational Purposes the AETN Commission shall approve the request and forward it to the Chief Fiscal Officer of the State for processing and for prior approval by the Arkansas Legislative Council or Joint Budget Committee. 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 Education - Educational Television Division may operate more efficiently if some flexibility is provided to the Department of Education - Educational Television Division 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, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

1 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HONORING  
3 ARKANSAS' WAR HEROES. The appropriation authorized in this Act for Honoring  
4 Arkansas' War Heroes is authorized for the 2007-2009 biennium only and is not  
5 intended to be carried forward into the base level for the purposes of  
6 biennial budget preparation for the 2009-2011 biennium. Any appropriation  
7 request for this purpose for the 2009-2011 biennium shall be considered a new  
8 appropriation request, and therefore will be considered a change level budget  
9 request.

10 Notwithstanding any law pertaining to the transfer of year-end fund  
11 balances or any law to the contrary, any funds provided to the Educational  
12 Television Fund Account for the purpose of funding the Honoring Arkansas' War  
13 Heroes Appropriation which remain in the Education Television Fund Account at  
14 the end of a fiscal year shall remain in the Educational Television Fund  
15 Account and shall continue to be allocated to the Honoring Arkansas' War  
16 Heroes Appropriation in the following fiscal year.

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18 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
19 by this act shall be limited to the appropriation for such agency and funds  
20 made available by law for the support of such appropriations; and the  
21 restrictions of the State Procurement Law, the General Accounting and  
22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
23 Procedures and Restrictions Act, or their successors, and other fiscal  
24 control laws of this State, where applicable, and regulations promulgated by  
25 the Department of Finance and Administration, as authorized by law, shall be  
26 strictly complied with in disbursement of said funds.

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

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