

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/9/99

A Bill

Act 735 of 1999
HOUSE BILL 1617

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE FOREST ECHOES TECHNICAL
11 INSTITUTE FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2001; AND FOR OTHER PURPOSES. "

Subtitle

14 "AN ACT FOR THE FOREST ECHOES TECHNICAL
15 INSTITUTE APPROPRIATION FOR THE 1999-2001
16 BIENNIUM. "
17
18
19

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the Forest
23 Echoes Technical Institute for the 1999-2001 biennium, the following maximum
24 number of regular employees whose salaries shall be governed by the provisions
25 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201
26 et seq.), or its successor, and all laws amendatory thereto. Provided,
27 however, that any position to which a specific maximum annual salary is set
28 out herein in dollars, shall be exempt from the provisions of said Uniform
29 Classification and Compensation Act. All persons occupying positions
30 authorized herein are hereby governed by the provisions of the Regular
31 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
32 successor.
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| | | | |
|----|------------|---------|----------------|
| 34 | | | Maximum Annual |
| 35 | | Maximum | Salary Rate |
| 36 | Item Class | No. of | Fiscal Years |

KCA049

| No. | Code | Title | Employees | 1999-2000 | 2000-2001 |
|------|------|------------------------------------|-----------|-----------|-----------|
| (1) | 9752 | VO TECH TECHNICIAN II | 8 | \$55,729 | \$57,289 |
| (2) | 9046 | FACULTY | 8 | \$47,143 | \$48,463 |
| (3) | 9047 | WORKFORCE ED PART TIME FACULTY | 65 | \$16,500 | \$16,500 |
| (4) | 247Z | ED VO TECH SCHOOL DIRECTOR | 1 | GRADE 25 | |
| (5) | 482Z | ED VO TECH SCHOOL ASST DIR | 2 | GRADE 23 | |
| (6) | M100 | VOCATIONAL COUNSELOR | 1 | GRADE 21 | |
| (7) | R010 | ADMINISTRATIVE ASSISTANT II | 1 | GRADE 17 | |
| (8) | A108 | ACCOUNTING TECHNICIAN II | 1 | GRADE 15 | |
| (9) | K041 | EXECUTIVE SECY/ADMINISTRATIVE SECY | 1 | GRADE 14 | |
| (10) | K153 | SECRETARY II | 1 | GRADE 13 | |
| (11) | G109 | BLDG/EQUIP MAINT REPAIRMAN II | 1 | GRADE 08 | |
| (12) | G035 | CUSTODIAL WRKR II | 1 | GRADE 04 | |
| (13) | T061 | WATCHMAN | 1 | GRADE 03 | |
| | | MAX. NO. OF EMPLOYEES | 92 | | |

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17 SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the Forest
 18 Echoes Technical Institute - State for the 1999-2001 biennium, the following
 19 maximum number of part-time or temporary employees, to be known as "Extra
 20 Help", payable from funds appropriated herein for such purposes: *nine (9)*
 21 temporary or part-time employees, when needed, at rates of pay not to exceed
 22 those provided in the Uniform Classification and Compensation Act, or its
 23 successor, or this act for the appropriate classification.

24

25 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the
 26 Forest Echoes Technical Institute, to be payable from the Forest Echoes
 27 Technical Institute Fund Account, for personal services and operating expenses
 28 of the Forest Echoes Technical Institute - State for the biennial period
 29 ending June 30, 2001, the following:

30

| ITEM NO. | FISCAL YEARS | |
|------------------------------|--------------|------------|
| | 1999-2000 | 2000-2001 |
| (01) REGULAR SALARIES | \$ 878,001 | \$ 902,556 |
| (02) EXTRA HELP | 37,892 | 37,892 |
| (03) PERSONAL SERV MATCHING | 247,291 | 253,920 |
| (04) MAINT. & GEN. OPERATION | | |

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| | | | |
|---|---------------------------|---------------------|---------------------|
| 1 | (A) OPER. EXPENSE | 167,724 | 167,724 |
| 2 | (B) CONF. & TRAVEL | 2,400 | 2,400 |
| 3 | (C) PROF. FEES | 0 | 0 |
| 4 | (D) CAP. OUTLAY | 0 | 0 |
| 5 | (E) DATA PROC. | 0 | 0 |
| 6 | (05) CONTINGENCY | <u>205,389</u> | <u>205,389</u> |
| 7 | TOTAL AMOUNT APPROPRIATED | <u>\$ 1,538,697</u> | <u>\$ 1,569,881</u> |

8
 9 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 10 Forest Echoes Technical Institute, to be payable from cash funds as defined by
 11 Arkansas Code 19-4-801 of the Forest Echoes Technical Institute, for personal
 12 services and operating expenses of the Forest Echoes Technical Institute -
 13 Cash for the biennial period ending June 30, 2001, the following:

| 15 | ITEM | FISCAL YEARS | |
|----|------------------------------|---------------------|---------------------|
| 16 | <u>NO.</u> | 1999-2000 | 2000-2001 |
| 17 | (01) REGULAR SALARIES | \$ 315,896 | \$ 324,737 |
| 18 | (02) EXTRA HELP | 289,608 | 297,693 |
| 19 | (03) PERSONAL SERV MATCHING | 107,016 | 109,379 |
| 20 | (04) MAINT. & GEN. OPERATION | | |
| 21 | (A) OPER. EXPENSE | 185,000 | 190,500 |
| 22 | (B) CONF. & TRAVEL | 20,000 | 20,000 |
| 23 | (C) PROF. FEES | 22,600 | 22,600 |
| 24 | (D) CAP. OUTLAY | 100,000 | 110,000 |
| 25 | (E) DATA PROC. | 0 | 0 |
| 26 | (05) RESALE | 75,000 | 75,000 |
| 27 | (06) CONTINGENCY | 250,000 | 250,000 |
| 28 | (07) DEBT SERVICE | 38,000 | 38,000 |
| 29 | (08) DEFERRED MAINTENANCE | <u>200,000</u> | <u>200,000</u> |
| 30 | TOTAL AMOUNT APPROPRIATED | <u>\$ 1,603,120</u> | <u>\$ 1,637,909</u> |

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 32 SECTION 5. EXTRA HELP - CASH. There is hereby authorized, for the Forest
 33 Echoes Technical Institute - Cash for the 1999-2001 biennium, the following
 34 maximum number of part-time or temporary employees, to be known as "Extra
 35 Help", payable from funds appropriated herein for such purposes: twenty five
 36 (25) temporary or part-time employees, when needed, at rates of pay not to

1 exceed those provided in the Uniform Classification and Compensation Act, or
2 its successor, or this act for the appropriate classification.

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4 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
5 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
6 LANGUAGE - CONTINGENCY. (a) To address needs emerging from the restructuring
7 of the Technical Institutes, Forest Echoes Technical Institute shall establish
8 and maintain for the 1999-2001 biennium a pool of three (3) unclassified
9 positions and two (2) classified positions, payable from funds appropriated
10 for Forest Echoes Technical Institute. These positions are to be used by
11 Forest Echoes Technical Institute in the event that the number and level of
12 positions available to address the needs emerging from business and industry
13 driven program expansions exceeds the number of positions regularly authorized
14 for Forest Echoes Technical Institute.

15
16 (b) Forest Echoes Technical Institute shall provide justification to the
17 Department of Finance and Administration's Office of Personnel Management
18 (OPM) for the need to allocate titles from this position pool. No
19 classifications will be assigned to the pool until such time as specific
20 positions are requested and justified by Forest Echoes Technical Institute,
21 recommended by OPM and approved by the Legislative Council. Forest Echoes
22 Technical Institute may transfer positions from this pool to any pay schedule
23 the agency currently maintains or any pay schedule the agency receives during
24 the 1999-2001 biennium.

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26 (c) Determining the number of personnel to be employed by a state agency is
27 the prerogative of the General Assembly and is usually accomplished by
28 delineating the maximum number of personnel by identifying job titles and the
29 maximum grade or salary attached to those titles. The General Assembly has
30 determined that Forest Echoes Technical Institute could be operated more
31 efficiently if some flexibility is given to that agency. That flexibility is
32 being accomplished by providing growth pools in subsection (a) of this section
33 and since the General Assembly has granted the agency broad powers under the
34 growth pool concept, it is both necessary and appropriate that the General
35 Assembly maintain oversight of the utilization of the growth pool by requiring
36 prior approval of the Legislative Council in the utilization of the growth

1 pool. Therefore, the requirement of approval by the Legislative Council is
2 not a severable part of this section. If the requirement of approval by the
3 Legislative Council is ruled unconstitutional by a court jurisdiction, this
4 entire section is void.

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6 SECTION 7. CONTINGENCY APPROPRIATION. There is hereby appropriated to the
7 Forest Echoes Technical Institute to be payable from the Forest Echoes
8 Technical Institute's accounts for any program, as designated by the Chief
9 Fiscal Officer of the State, for salary and matching.

| ITEM | FISCAL YEARS | |
|------------------|------------------|------------------|
| | 1999-00 | 2000-01 |
| NO. | | |
| (01) Contingency | <u>\$250,537</u> | <u>\$250,537</u> |

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15 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
16 this act shall be limited to the appropriation for such agency and funds made
17 available by law for the support of such appropriations; and the restrictions
18 of the State Purchasing Law, the General Accounting and Budgetary Procedures
19 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
20 Restrictions Act, or their successors, and other fiscal control laws of this
21 State, where applicable, and regulations promulgated by the Department of
22 Finance and Administration, as authorized by law, shall be strictly complied
23 with in disbursement of said funds.

24
25 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly
26 that any funds disbursed under the authority of the appropriations contained
27 in this act shall be in compliance with the stated reasons for which this act
28 was adopted, as evidenced by the Agency Requests, Executive Recommendations
29 and Legislative Recommendations contained in the budget manuals prepared by
30 the Department of Finance and Administration, letters, or summarized oral
31 testimony in the official minutes of the Arkansas Legislative Council or Joint
32 Budget Committee which relate to its passage and adoption.

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34 SECTION 10. CODE. All provisions of this Act of a general and permanent
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
36 Code Revision Commission shall incorporate the same in the Code.

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SECTION 11. SEVERABILITY. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable except that provided in Section 6 (c) herein.

SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1999 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1999 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1999.

/s/ Joint Budget Committee

APPROVED: 3/18/1999