

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 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

Act 605 of 2001  
SENATE BILL 572

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

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE COTTON BOLL TECHNICAL  
11 INSTITUTE FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 2003; AND FOR OTHER PURPOSES.  
13

## Subtitle

14 AN ACT FOR THE COTTON BOLL TECHNICAL  
15 INSTITUTE APPROPRIATION FOR THE 2001-2003  
16 BIENNIAL PERIOD.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the Cotton  
24 Boll Technical Institute for the 2001-2003 biennium, the following maximum  
25 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.  
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Maximum Annual  
Maximum Salary Rate

Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2001-2002	2002-2003
3	(1)	9752 VO TECH TECHNICIAN II	1	\$58,778	\$60,306
4	(2)	6631 TECHNICAL INSTITUTE COUNSELOR	1	\$49,820	\$51,215
5	(3)	9046 WORKFORCE ED FACULTY	35	\$49,723	\$51,015
6	(4)	9047 WORKFORCE ED PART TIME FACULTY	1	\$16,929	\$17,369
7	(5)	247Z ED VO TECH SCHOOL DIRECTOR	1		GRADE 25
8	(6)	482Z ED VO TECH SCHOOL ASST DIR	3		GRADE 23
9	(7)	M100 VOCATIONAL COUNSELOR	1		GRADE 21
10	(8)	A056 INTERNAL AUDITOR	1		GRADE 20
11	(9)	A111 ACCOUNTANT	1		GRADE 18
12	(10)	G028 BLDG PLANT MAINTENANCE SUPV II	1		GRADE 18
13	(11)	R010 ADMINISTRATIVE ASSISTANT II	1		GRADE 17
14	(12)	R440 BUSINESS CONTROLLER II	1		GRADE 16
15	(13)	A108 ACCOUNTING TECHNICIAN II	3		GRADE 15
16	(14)	K153 SECRETARY II	2		GRADE 13
17	(15)	K089 PERSONNEL ASSISTANT	1		GRADE 12
18	(16)	K155 SECRETARY I	1		GRADE 11
19	(17)	H027 COOK II	1		GRADE 10
20	(18)	G109 BLDG/EQUIP MAINT REPAIRMAN II	2		GRADE 08
21	(19)	T061 WATCHMAN	<u>1</u>		GRADE 03
22		MAX. NO. OF EMPLOYEES	59		

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24 SECTION 2. EXTRA HELP. There is hereby authorized, for the Cotton Boll  
 25 Technical Institute for the 2001-2003 biennium, the following maximum number  
 26 of part-time or temporary employees, to be known as "Extra Help", payable  
 27 from funds appropriated herein for such purposes: one hundred twenty one  
 28 (121) temporary or part-time employees, when needed, at rates of pay not to  
 29 exceed those provided in the Uniform Classification and Compensation Act, or  
 30 its successor, or this act for the appropriate classification.

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32 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the  
 33 Cotton Boll Technical Institute, to be payable from the Cotton Boll Technical  
 34 Institute Fund, for personal services and operating expenses of the Cotton  
 35 Boll Technical Institute - State for the biennial period ending June 30,  
 36 2003, the following:

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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 2,113,013	\$ 2,168,026
(02) EXTRA HELP	338,078	337,638
(03) PERSONAL SERV MATCHING	611,004	622,123
(04) OVERTIME	12,264	12,264
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	586,841	616,183
(B) CONF. & TRAVEL	20,185	20,185
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	426,300	35,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,107,685</u>	<u>\$ 3,811,419</u>

17 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the  
18 Cotton Boll Technical Institute, to be payable from cash funds as defined by  
19 Arkansas Code 19-4-801 of the Cotton Boll Technical Institute, for personal  
20 services and operating expenses of the Cotton Boll Technical Institute - Cash  
21 for the biennial period ending June 30, 2003, the following:

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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 174,798	\$ 179,340
(02) EXTRA HELP	150,000	150,000
(03) PERSONAL SERV MATCHING	58,781	59,702
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	450,000	450,000
(B) CONF. & TRAVEL	50,000	50,000
(C) PROF. FEES	100,000	100,000
(D) CAP. OUTLAY	200,000	200,000
(E) DATA PROC.	0	0
(05) RESALE	200,000	200,000
(06) SPECIAL MAINTENANCE	<u>200,000</u>	<u>200,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,583,579</u>	<u>\$ 1,589,042</u>

SECTION 5. APPROPRIATION - FEDERAL. There is hereby appropriated, to the Cotton Boll 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 Cotton Boll Technical Institute - Federal for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 49,723	\$ 51,015
(02) EXTRA HELP	48,000	48,000
(03) PERSONAL SERV MATCHING	16,720	16,982
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	25,366	25,366
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 139,809</u>	<u>\$ 141,363</u>

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONTINGENCY. (a) To address needs emerging from the restructuring of the Technical Institutes, Cotton Boll Technical Institute shall establish and maintain for the ~~1999-2001~~ 2001-2003 biennium a pool of four (4) unclassified positions and three (3) classified positions, payable from funds appropriated for Cotton Boll Technical Institute. These positions are to be used by Cotton Boll Technical Institute in the event that the number and level of positions available to address the needs emerging from business and industry driven program expansions exceeds the number of positions regularly authorized for Cotton Boll Technical Institute.

(b) Cotton Boll Technical Institute shall provide justification to the Department of Finance and Administration's Office of Personnel Management (OPM) for the need to allocate titles from this position pool. No classifications will be assigned to the pool until such time as specific

1 positions are requested and justified by Cotton Boll Technical Institute,  
 2 recommended by OPM and approved by the Legislative Council. Cotton Boll  
 3 Technical Institute may transfer positions from this pool to any pay schedule  
 4 the agency currently maintains or any pay schedule the agency receives during  
 5 the ~~1999-2001~~ 2001-2003 biennium.

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

22 The provisions of this section shall be in effect only from July 1, 2001  
 23 through June 30, 2003.

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

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

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 34 SECTION 8. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 35 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
 36 appropriations as provided in this Act, the agency disbursing officer shall

1 monitor the level of fund balances in relation to expenditures on a monthly  
 2 basis. If any proposed expenditures would cause a fund balance to decline to  
 3 less than fifty percent (50%) of the balance available on July 1, 2001, the  
 4 disbursing officer shall immediately notify the executive head of the agency.  
 5 Prior to any obligations being made under these circumstances, the agency  
 6 head shall file written documentation with the Chief Fiscal Officer of the  
 7 State requesting approval of the expenditures. Such documentation shall  
 8 provide sufficient financial data to justify the expenditures and shall  
 9 include the following:

- 10 1) a plan that clearly indicates the specific fiscal impact of such  
 11 expenditures on the fund balance.
- 12 2) information clearly indicating and explaining what programs would be cut  
 13 or any other measures to be taken by the agency to restore the fund balance.
- 14 3) the extent to which any of the planned expenditures are for one-time costs  
 15 or one-time purchase of capitalized items.
- 16 4) a statement certifying that the expenditure of fund balances will not  
 17 jeopardize the financial health of the agency, nor result in a permanent  
 18 depletion of the fund balance.

19 (B) The Chief Fiscal Officer of the State shall review the request and  
 20 approve or disapprove all or any part of the request, after having sought  
 21 prior review by the Legislative Council.

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 23 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 24 by this act shall be limited to the appropriation for such agency and funds  
 25 made available by law for the support of such appropriations; and the  
 26 restrictions of the State Purchasing Law, the General Accounting and  
 27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 28 Procedures and Restrictions Act, or their successors, and other fiscal  
 29 control laws of this State, where applicable, and regulations promulgated by  
 30 the Department of Finance and Administration, as authorized by law, shall be  
 31 strictly complied with in disbursement of said funds.

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 33 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 34 that any funds disbursed under the authority of the appropriations contained  
 35 in this act shall be in compliance with the stated reasons for which this act  
 36 was adopted, as evidenced by the Agency Requests, Executive Recommendations

1 and Legislative Recommendations contained in the budget manuals prepared by  
2 the Department of Finance and Administration, letters, or summarized oral  
3 testimony in the official minutes of the Arkansas Legislative Council or  
4 Joint Budget Committee which relate to its passage and adoption.

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6 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General  
7 Assembly, that the Constitution of the State of Arkansas prohibits the  
8 appropriation of funds for more than a two (2) year period; that the  
9 effectiveness of this Act on July 1, 2001 is essential to the operation of  
10 the agency for which the appropriations in this Act are provided, and that in  
11 the event of an extension of the Regular Session, the delay in the effective  
12 date of this Act beyond July 1, 2001 could work irreparable harm upon the  
13 proper administration and provision of essential governmental programs.  
14 Therefore, an emergency is hereby declared to exist and this Act being  
15 necessary for the immediate preservation of the public peace, health and  
16 safety shall be in full force and effect from and after July 1, 2001.

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19 APPROVED: 3/7/2001  
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