

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 731 of 2001
HOUSE BILL 1861

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 FOOTHILLS TECHNICAL
11 INSTITUTE FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2003; AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT FOR THE FOOTHILLS 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
24 Foothills Technical Institute for the 2001-2003 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.
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Maximum Annual
Maximum Salary Rate

Item	Class	No. of	Fiscal	Years	
No.	Code	Title	Employees	2001-2002	2002-2003
3	(1) 9752	VO TECH TECHNICIAN II	1	\$58,778	\$60,306
4	(2) 9753	VO TECH TECHNICIAN I	1	\$53,487	\$54,877
5	(3) 9046	WORKFORCE ED FACULTY	38	\$49,723	\$51,015
6	(4) 9047	WORKFORCE ED PART TIME FACULTY	9	\$16,929	\$17,369
7	(5) 247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
8	(6) 482Z	ED VO TECH SCHOOL ASST DIR	2	GRADE 23	
9	(7) 043Z	DIRECTOR OF SECONDARY CENTER	1	GRADE 23	
10	(8) 845Z	ED COORD ADULT ED PROGRAMS	1	GRADE 23	
11	(9) M100	VOCATIONAL COUNSELOR	2	GRADE 21	
12	(10) E049	INDUSTRIAL COORDINATOR	1	GRADE 21	
13	(11) R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21	
14	(12) G028	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18	
15	(13) N328	INFORMATION OFFICER II	1	GRADE 18	
16	(14) D128	P C SUPPORT SPECIALIST	1	GRADE 18	
17	(15) R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
18	(16) R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
19	(17) A108	ACCOUNTING TECHNICIAN II	1	GRADE 15	
20	(18) K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
21	(19) R125	PERSONNEL OFFICER	1	GRADE 13	
22	(20) K153	SECRETARY II	5	GRADE 13	
23	(21) K155	SECRETARY I	2	GRADE 11	
24	(22) G177	MAINTENANCE WORKER SUPERVISOR	1	GRADE 07	
25	(23) T061	WATCHMAN	<u>1</u>	GRADE 03	
26		MAX. NO. OF EMPLOYEES	75		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Foothills Technical Institute for the 2001-2003 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: eighty seven (87) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the

1 Foothills Technical Institute, to be payable from the Foothills Technical
 2 Institute Fund, for personal services and operating expenses of the Foothills
 3 Technical Institute - State for the biennial period ending June 30, 2003, the
 4 following:

ITEM		FISCAL YEARS	
NO.		2001-2002	2002-2003
8	(01) REGULAR SALARIES	\$ 2,483,218	\$ 2,547,752
9	(02) EXTRA HELP	79,652	79,652
10	(03) PERSONAL SERV MATCHING	665,885	678,073
11	(04) OVERTIME	61,363	61,363
12	(05) MAINT. & GEN. OPERATION		
13	(A) OPER. EXPENSE	713,081	748,735
14	(B) CONF. & TRAVEL	13,532	13,532
15	(C) PROF. FEES	7,200	7,200
16	(D) CAP. OUTLAY	395,188	395,188
17	(E) DATA PROC.	<u>0</u>	<u>0</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,419,119</u>	<u>\$ 4,531,495</u>

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

ITEM		FISCAL YEARS	
NO.		2001-2002	2002-2003
28	(01) REGULAR SALARIES	\$ 209,011	\$ 214,443
29	(02) EXTRA HELP	41,200	41,200
30	(03) PERSONAL SERV MATCHING	47,582	48,351
31	(04) MAINT. & GEN. OPERATION		
32	(A) OPER. EXPENSE	84,821	84,821
33	(B) CONF. & TRAVEL	32,000	32,000
34	(C) PROF. FEES	30,600	30,600
35	(D) CAP. OUTLAY	50,000	50,000
36	(E) DATA PROC.	0	0

1	(05) RESALE	225,000	225,000
2	(06) DEBT SERVICE	<u>54,000</u>	<u>54,000</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 774,214</u>	<u>\$ 780,415</u>

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5 SECTION 5. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 6 Foothills Technical Institute, to be payable from the federal funds as
 7 designated by the Chief Fiscal Officer of the State, for personal services
 8 and operating expenses of the Foothills Technical Institute - Federal for the
 9 biennial period ending June 30, 2003, the following:

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11	ITEM	FISCAL YEARS	
12	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
13	(01) REGULAR SALARIES	\$ 244,770	\$ 251,131
14	(02) EXTRA HELP	11,058	11,058
15	(03) PERSONAL SERV MATCHING	54,110	55,109
16	(04) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	45,078	45,078
18	(B) CONF. & TRAVEL	2,220	2,220
19	(C) PROF. FEES	0	0
20	(D) CAP. OUTLAY	0	0
21	(E) DATA PROC.	<u>0</u>	<u>0</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 357,236</u>	<u>\$ 364,596</u>

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

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36 (b) Foothills Technical Institute shall provide justification to the

1 Department of Finance and Administration's Office of Personnel Management
2 (OPM) for the need to allocate titles from this position pool. No
3 classifications will be assigned to the pool until such time as specific
4 positions are requested and justified by Foothills Technical Institute,
5 recommended by OPM and approved by the Legislative Council. Foothills
6 Technical Institute may transfer positions from this pool to any pay schedule
7 the agency currently maintains or any pay schedule the agency receives during
8 the ~~1999-2001~~ 2001-2003 biennium.

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

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

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

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

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1 SECTION 8. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 2 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
 3 appropriations as provided in this Act, the agency disbursing officer shall
 4 monitor the level of fund balances in relation to expenditures on a monthly
 5 basis. If any proposed expenditures would cause a fund balance to decline to
 6 less than fifty percent (50%) of the balance available on July 1, 2001, the
 7 disbursing officer shall immediately notify the executive head of the agency.
 8 Prior to any obligations being made under these circumstances, the agency
 9 head shall file written documentation with the Chief Fiscal Officer of the
 10 State requesting approval of the expenditures. Such documentation shall
 11 provide sufficient financial data to justify the expenditures and shall
 12 include the following:
 13 1) a plan that clearly indicates the specific fiscal impact of such
 14 expenditures on the fund balance.
 15 2) information clearly indicating and explaining what programs would be cut
 16 or any other measures to be taken by the agency to restore the fund balance.
 17 3) the extent to which any of the planned expenditures are for one-time costs
 18 or one-time purchase of capitalized items.
 19 4) a statement certifying that the expenditure of fund balances will not
 20 jeopardize the financial health of the agency, nor result in a permanent
 21 depletion of the fund balance.
 22 (B) The Chief Fiscal Officer of the State shall review the request and
 23 approve or disapprove all or any part of the request , after having sought
 24 prior review by the Legislative Council.

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

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 36 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly

1 that any funds disbursed under the authority of the appropriations contained
2 in this act shall be in compliance with the stated reasons for which this act
3 was adopted, as evidenced by the Agency Requests, Executive Recommendations
4 and Legislative Recommendations contained in the budget manuals prepared by
5 the Department of Finance and Administration, letters, or summarized oral
6 testimony in the official minutes of the Arkansas Legislative Council or
7 Joint Budget Committee which relate to its passage and adoption.

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

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22 APPROVED: 3/12/2001
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