

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 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/20/03 H3/24/03

A Bill

Act 1021 of 2003
HOUSE BILL 1378

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 ARKANSAS
11 VALLEY TECHNICAL INSTITUTE FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2005; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS VALLEY
17 TECHNICAL INSTITUTE APPROPRIATION FOR
18 THE 2003-2005 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
25 Valley Technical Institute for the 2003-2005 biennium, the following maximum
26 number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
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Maximum Annual

Item Class	Maximum No. of Employees	Salary Rate Fiscal Years 2003-2004	Salary Rate Fiscal Years 2004-2005
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
<u>ADMINISTRATIVE POSITIONS</u>			
(1) Chancellor AVTI	1	\$113,049	\$115,482
(2) Chief Academic Officer	1	\$90,225	\$92,338
(3) Chief Fiscal Officer	1	\$84,492	\$86,497
(4) Chief Student Life Officer	1	\$84,492	\$86,497
(5) Counselor	1	\$68,500	\$70,202
(6) Registrar	1	\$65,617	\$67,264
(7) Director of Computer Services	1	\$64,318	\$65,940
(8) Director of Financial Aid	1	\$63,710	\$65,320
(9) Coord of Continuing Ed/Business Outreach	1	\$63,710	\$65,320
(10) Director of Admin. Support Services	1	\$43,401	\$44,573
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
<u>CLASSIFIED POSITIONS</u>			
(11) Building Plant Maint. Supervisor II	1		Grade 18
(12) Information Officer II	1		Grade 18
(13) Assistant Registrar	1		Grade 18
(14) Vocational Instructor I	4		Grade 17
(15) Administrative Assistant II	1		Grade 17
(16) Business Controller II	1		Grade 16
(17) Accounting Technician II	1		Grade 15
(18) Executive Secy/Administrative Secy	1		Grade 14
(19) Secretary II	5		Grade 13
(20) Personnel Officer	1		Grade 13
(21) Bldg/Equip Maintenance Repairman II	3		Grade 08
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
<u>ACADEMIC POSITIONS</u>			
(22) Librarian	1	\$71,368	\$73,124
<u>NINE MONTH EDUCATIONAL AND GENERAL</u>			
<u>ACADEMIC POSITIONS</u>			
(23) Workforce Ed Faculty	35	\$52,392	\$53,807
(24) Workforce Ed Part-Time Faculty	<u>25</u>	17,939	\$18,509
MAX. NO. OF EMPLOYEES	91		

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SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Valley Technical Institute for the 2003-2005 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: fifty six (56) 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 Arkansas Valley Technical Institute, to be payable from the Arkansas Valley Technical Institute Fund, for personal services and operating expenses of the Arkansas Valley Technical Institute - State for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 1,677,545	\$ 1,722,841
(02) EXTRA HELP	140,567	140,567
(03) PERSONAL SERV MATCH	606,563	617,742
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	519,246	533,346
(B) CONF. & TRAVEL	1,700	1,700
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,945,621</u>	<u>\$ 3,016,196</u>

SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the Arkansas Valley 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 Arkansas Valley Technical Institute - Federal for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 65,835	\$ 67,060
(02) EXTRA HELP	25,240	25,240
(03) PERSONAL SERV MATCH	26,023	26,325
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	30,340	31,340
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	30,000	30,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 177,438</u>	<u>\$ 179,965</u>

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SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the Arkansas Valley Technical Institute, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Valley Technical Institute, for personal services and operating expenses of the Arkansas Valley Technical Institute - Cash for the biennial period ending June 30, 2005, the following:

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ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 532,633	\$ 658,014
(02) EXTRA HELP	67,000	67,000
(03) PERSONAL SERV MATCH	122,485	125,792
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	320,472	320,472
(B) CONF. & TRAVEL	15,746	15,746
(C) PROF. FEES	300,000	300,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(05) RESALE	134,185	134,185
(06) DEBT SERVICE	44,000	44,000
(07) CONTINGENCY	1,500,00	1,500,000
(08) PROMOTIONAL ITEMS	<u>10,000</u>	<u>10,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,046,521</u>	<u>\$ 3,175,209</u>

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

4 CONTINGENCY. (a) To address needs emerging from the restructuring of the
5 Technical Institutes, Arkansas Valley Technical Institute shall establish and
6 maintain for the ~~2001-2003~~ 2003-2005 biennium a pool of four (4) unclassified
7 positions and three (3) classified positions, payable from funds appropriated
8 for Arkansas Valley Technical Institute. These positions are to be used by
9 Arkansas Valley Technical Institute in the event that the number and level of
10 positions available to address the needs emerging from business and industry
11 driven program expansions exceeds the number of positions regularly
12 authorized for Arkansas Valley Technical Institute.

13 (b) Arkansas Valley Technical Institute shall provide justification to the
14 Department of Finance and Administration's Office of Personnel Management
15 (OPM) for the need to allocate titles from this position pool. No
16 classifications will be assigned to the pool until such time as specific
17 positions are requested and justified by Arkansas Valley Technical Institute,
18 recommended by OPM and approved by the Legislative Council. Arkansas Valley
19 Technical Institute may transfer positions from this pool to any pay schedule
20 the agency currently maintains or any pay schedule the agency receives during
21 the ~~2001-2003~~ 2003-2005 biennium.

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

1 If the agency requests continuation of a "Growth Pool" position(s) as
2 established herein during the next biennium, the position(s) must be
3 requested as a new position(s) in the agencies biennial budget request.

4 The provisions of this section shall be in effect only from ~~July 1, 2001~~
5 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

13 The provisions of this section shall be in effect only from ~~July 1, 2001~~
14 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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16 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
18 INSURANCE. By November 30, 2003, employees who were employed on June 30,
19 2003 by Arkansas Valley Technical Institute shall have the right to make a
20 one-time choice between:

- 21 (i) The Arkansas Tech University Health Insurance Plan; or
22 (ii) The health insurance plan adopted by the state and Public school
23 Life and Health Insurance Board for state employees.

24 The provisions of this section shall be in effect only from July 1, 2003
25 through June 30, 2005.

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

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

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 10 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General
 11 Assembly, that the Constitution of the State of Arkansas prohibits the
 12 appropriation of funds for more than a two (2) year period; that the
 13 effectiveness of this Act on July 1, 2003 is essential to the operation of
 14 the agency for which the appropriations in this Act are provided, and that in
 15 the event of an extension of the Regular Session, the delay in the effective
 16 date of this Act beyond July 1, 2003 could work irreparable harm upon the
 17 proper administration and provision of essential governmental programs.
 18 Therefore, an emergency is hereby declared to exist and this Act being
 19 necessary for the immediate preservation of the public peace, health and
 20 safety shall be in full force and effect from and after July 1, 2003.

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 22 */s/ Joint Budget Committee*

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 25 *APPROVED: 4/2/2003*