

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

A Bill

Act 1578 of 2003
HOUSE BILL 1304

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE QUAPAW
11 TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE QUAPAW TECHNICAL
16 INSTITUTE APPROPRIATION FOR THE
17 2003-2005 BIENNIUM.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the Quapaw
24 Technical Institute for the 2003-2005 biennium, the following maximum number
25 of regular employees whose salaries shall be governed by the provisions of
26 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform
30 Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
34

35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2003-2004	2004-2005
3	(1)	9752 VO TECH TECHNICIAN II	3	\$61,934	\$63,606
4	(2)	9046 WORKFORCE ED FACULTY	31	\$52,384	\$53,780
5	(3)	9047 WORKFORCE ED PART TIME FACULTY	10	\$17,939	\$18,509
6	(4)	247Z ED VO TECH SCHOOL DIRECTOR	2	GRADE	25
7	(5)	482Z ED VO TECH SCHOOL ASST DIR	3	GRADE	23
8	(6)	G124 PLANT MAINTENANCE SUPV	1	GRADE	18
9	(7)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
10	(8)	R190 PERSONNEL OFFICER II	1	GRADE	17
11	(9)	A108 ACCOUNTING TECHNICIAN II	2	GRADE	15
12	(10)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE	14
13	(11)	K153 SECRETARY II	3	GRADE	13
14	(12)	G109 BLDG/EQUIP MAINT REPAIRMAN II	2	GRADE	08
15	(13)	T061 WATCHMAN	<u>1</u>	GRADE	03
16		MAX. NO. OF EMPLOYEES	61		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Quapaw 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: sixty seven (67) 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 Quapaw Technical Institute, to be payable from the Quapaw Technical Institute Fund, for personal services and operating expenses of the Quapaw Technical Institute for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS		
	NO.	2003-2004	2004-2005
(01)	REGULAR SALARIES	\$ 1,720,699	\$ 1,720,699
(02)	EXTRA HELP	45,000	45,000
(03)	PERSONAL SERV MATCH	502,171	502,171
(04)	MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	460,844	460,844
2	(B) CONF. & TRAVEL	10,060	10,060
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	0	0
5	(E) DATA PROC.	<u>0</u>	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,738,774</u>	<u>\$ 2,738,774</u>

7
 8 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 9 Quapaw Technical Institute, to be payable from cash funds as defined by
 10 Arkansas Code 19-4-801 of the Quapaw Technical Institute, for personal
 11 services and operating expenses of the Quapaw Technical Institute - Cash for
 12 the biennial period ending June 30, 2005, the following:

14	ITEM	FISCAL YEARS	
15	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
16	(01) REGULAR SALARIES	\$ 190,652	\$ 195,800
17	(02) EXTRA HELP	202,485	202,485
18	(03) PERSONAL SERV MATCH	68,185	69,440
19	(04) OVERTIME	1,200	1,200
20	(05) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	283,463	283,463
22	(B) CONF. & TRAVEL	9,000	9,000
23	(C) PROF. FEES	90,627	90,627
24	(D) CAP. OUTLAY	0	0
25	(E) DATA PROC.	0	0
26	(06) RESALE	<u>114,100</u>	<u>114,100</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 959,712</u>	<u>\$ 966,115</u>

28
 29 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 31 CONTINGENCY. (a) To address needs emerging from the restructuring of the
 32 Technical Institutes, Quapaw Technical Institute shall establish and maintain
 33 for the ~~2001-2003~~ 2003-2005 biennium a pool of four (4) unclassified
 34 positions and three (3) classified positions, payable from funds appropriated
 35 for Quapaw Technical Institute. These positions are to be used by Quapaw
 36 Technical Institute in the event that the number and level of positions

1 available to address the needs emerging from business and industry driven
2 program expansions exceeds the number of positions regularly authorized for
3 Quapaw Technical Institute.

4 (b) Quapaw Technical Institute shall provide justification to the Department
5 of Finance and Administration's Office of Personnel Management (OPM) for the
6 need to allocate titles from this position pool. No classifications will be
7 assigned to the pool until such time as specific positions are requested and
8 justified by Quapaw Technical Institute, recommended by OPM and approved by
9 the Legislative Council. Quapaw Technical Institute may transfer positions
10 from this pool to any pay schedule the agency currently maintains or any pay
11 schedule the agency receives during the ~~2001-2003~~ 2003-2005 biennium.

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

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

30 The provisions of this section shall be in effect only from ~~July 1, 2001~~ July
31 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

32
33 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME
35 FACULTY. The Technical Institutes are not required to remit a state
36 contribution to the state employee insurance trust fund on Workforce

1 Education Part-time Faculty Positions unless the position will be utilized
2 for more than 1,000 hours a year.

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

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6 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
7 by this act shall be limited to the appropriation for such agency and funds
8 made available by law for the support of such appropriations; and the
9 restrictions of the State Purchasing Law, the General Accounting and
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
11 Procedures and Restrictions Act, or their successors, and other fiscal
12 control laws of this State, where applicable, and regulations promulgated by
13 the Department of Finance and Administration, as authorized by law, shall be
14 strictly complied with in disbursement of said funds.

15
16 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly
17 that any funds disbursed under the authority of the appropriations contained
18 in this act shall be in compliance with the stated reasons for which this act
19 was adopted, as evidenced by the Agency Requests, Executive Recommendations
20 and Legislative Recommendations contained in the budget manuals prepared by
21 the Department of Finance and Administration, letters, or summarized oral
22 testimony in the official minutes of the Arkansas Legislative Council or
23 Joint Budget Committee which relate to its passage and adoption.

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25 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
26 Assembly, that the Constitution of the State of Arkansas prohibits the
27 appropriation of funds for more than a two (2) year period; that the
28 effectiveness of this Act on July 1, 2003 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the Regular Session, the delay in the effective
31 date of this Act beyond July 1, 2003 could work irreparable harm upon the
32 proper administration and provision of essential governmental programs.
33 Therefore, an emergency is hereby declared to exist and this Act being
34 necessary for the immediate preservation of the public peace, health and
35 safety shall be in full force and effect from and after July 1, 2003.

36 /s/ Joint Budget Committee APPROVED: 4/21/2003