

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: H3/21/03*  
**A Bill**

**Act 934 of 2003**  
HOUSE BILL 1303

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

**Subtitle**

15 AN ACT FOR THE NORTHWEST TECHNICAL  
16 INSTITUTE APPROPRIATION FOR THE  
17 2003-2005 BIENNIUM.  
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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  
24 Northwest Technical Institute for the 2003-2005 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.  
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	10	\$61,851	\$63,427
4	(2)	9753 VO TECH TECHNICIAN I	3	\$56,319	\$57,789
5	(3)	9046 WORKFORCE ED FACULTY	24	\$52,384	\$53,780
6	(4)	9047 WORKFORCE ED PART TIME FACULTY	1	\$17,939	\$18,509
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)	D036 SR PROGRAMMER/ANALYST	2		GRADE 21
10	(8)	M100 VOCATIONAL COUNSELOR	2		GRADE 21
11	(9)	R144 PROGRAM COORDINATOR	1		GRADE 20
12	(10)	G028 BLDG PLANT MAINTENANCE SUPV II	1		GRADE 18
13	(11)	R032 ASST REGISTRAR	1		GRADE 18
14	(12)	R010 ADMINISTRATIVE ASSISTANT II	1		GRADE 17
15	(13)	R190 PERSONNEL OFFICER II	1		GRADE 17
16	(14)	A063 PAYROLL OFFICER	1		GRADE 15
17	(15)	A108 ACCOUNTING TECHNICIAN II	2		GRADE 15
18	(16)	R009 ADMINISTRATIVE ASSISTANT I	1		GRADE 15
19	(17)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	2		GRADE 14
20	(18)	R041 BOOKSTORE OFFICE MANAGER	1		GRADE 14
21	(19)	E017 INSTITUTION ASSISTANT LIBRARIAN	1		GRADE 13
22	(20)	K153 SECRETARY II	3		GRADE 13
23	(21)	G165 WORK MAINTENANCE LEADER	1		GRADE 10
24	(22)	G109 BLDG/EQUIP MAINT REPAIRMAN II	<u>2</u>		GRADE 08
25		MAX. NO. OF EMPLOYEES	65		

26

27 SECTION 2. EXTRA HELP. There is hereby authorized, for the Northwest  
 28 Technical Institute for the 2003-2005 biennium, the following maximum number  
 29 of part-time or temporary employees, to be known as "Extra Help", payable  
 30 from funds appropriated herein for such purposes: one hundred seven (107)  
 31 temporary or part-time employees, when needed, at rates of pay not to exceed  
 32 those provided in the Uniform Classification and Compensation Act, or its  
 33 successor, or this act for the appropriate classification.

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35 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the  
 36 Northwest Technical Institute, to be payable from the Northwest Technical

1 Institute Fund, for personal services and operating expenses of the Northwest  
 2 Technical Institute for the biennial period ending June 30, 2005, the  
 3 following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 2,031,409	\$ 2,073,734
(02) EXTRA HELP	361,093	361,093
(03) PERSONAL SERV MATCH	630,901	639,485
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	594,377	594,377
(B) CONF. & TRAVEL	11,500	11,500
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,629,280</u>	<u>\$ 3,680,189</u>

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 18 SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the  
 19 Northwest Technical Institute, to be payable from the federal funds as  
 20 designated by the Chief Fiscal Officer of the State, for personal services  
 21 and operating expenses of the Northwest Technical Institute for the biennial  
 22 period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 51,354	\$ 52,413
(02) EXTRA HELP	14,746	14,746
(03) PERSONAL SERV MATCH	18,819	19,027
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	5,472	5,472
(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>\$ 90,391</u>	<u>\$ 91,658</u>

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

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 88,612	\$ 89,811
(02) EXTRA HELP	627,600	627,600
(03) PERSONAL SERV MATCH	75,932	76,169
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	353,500	353,500
(B) CONF. & TRAVEL	30,000	30,000
(C) PROF. FEES	175,000	175,000
(D) CAP. OUTLAY	200,000	200,000
(E) DATA PROC.	0	0
(05) RESALE	275,000	275,000
(06) DEBT SERVICE	<u>57,415</u>	<u>57,415</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,883,059</u>	<u>\$ 1,884,495</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, Northwest Technical Institute shall establish and maintain for the ~~2001-2003~~ 2003-2005 biennium a pool of four (4) unclassified positions and three (3) classified positions, payable from funds appropriated for Northwest Technical Institute. These positions are to be used by Northwest 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 Northwest Technical Institute. (b) Northwest 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 Northwest Technical Institute,  
 2 recommended by OPM and approved by the Legislative Council. Northwest  
 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 ~~2001-2003~~ 2003-2005 biennium.

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

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

24 The provisions of this section shall be in effect only from ~~July 1, 2001~~ July  
 25 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

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

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 36 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

1 by this act shall be limited to the appropriation for such agency and funds  
2 made available by law for the support of such appropriations; and the  
3 restrictions of the State Purchasing Law, the General Accounting and  
4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
5 Procedures and Restrictions Act, or their successors, and other fiscal  
6 control laws of this State, where applicable, and regulations promulgated by  
7 the Department of Finance and Administration, as authorized by law, shall be  
8 strictly complied with in disbursement of said funds.

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10 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly  
11 that any funds disbursed under the authority of the appropriations contained  
12 in this act shall be in compliance with the stated reasons for which this act  
13 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
14 and Legislative Recommendations contained in the budget manuals prepared by  
15 the Department of Finance and Administration, letters, or summarized oral  
16 testimony in the official minutes of the Arkansas Legislative Council or  
17 Joint Budget Committee which relate to its passage and adoption.

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

30  
31 /s/ Joint Budget Committee

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34 APPROVED: 3/31/2003

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