

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.

Act 1389 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1160

4
5 By: Joint Budget Committee
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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 RIVERSIDE
11 VOCATIONAL TECHNICAL SCHOOL FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE RIVERSIDE VOCATIONAL
17 TECHNICAL SCHOOL APPROPRIATION FOR THE
18 2005-2007 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
25 Riverside Vocational Technical School for the 2005-2007 biennium, the
26 following maximum number of regular employees whose salaries shall be
27 governed by the provisions of the Uniform Classification and Compensation Act
28 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
29 thereto. Provided, however, that any position to which a specific maximum
30 annual salary is set out herein in dollars, shall be exempt from the
31 provisions of said Uniform Classification and Compensation Act. All persons
32 occupying positions authorized herein are hereby governed by the provisions
33 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
34 101), or its successor.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2005-2006	2006-2007
1	(1)	9046 WORKFORCE ED FACULTY	29	\$55,351	\$56,952
2	(2)	247Z ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
3	(3)	482Z ED VO TECH SCHOOL ASST DIR	3	GRADE 23	
4	(4)	M100 VOCATIONAL COUNSELOR	1	GRADE 21	
5	(5)	A111 ACCOUNTANT	1	GRADE 18	
6	(6)	R010 ADMINISTRATIVE ASSISTANT II	2	GRADE 17	
7	(7)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	<u>1</u>	GRADE 14	
8		MAX. NO. OF EMPLOYEES	38		

SECTION 2. APPROPRIATION - STATE. There is hereby appropriated, to the Riverside Vocational Technical School, to be payable from the Riverside Vocational Technical School Fund, for personal services and operating expenses of the Riverside Vocational Technical School for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 1,925,382	\$ 1,981,089
(02) PERSONAL SERVICES MATCHING	560,083	572,176
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	159,896	159,896
(B) CONF. & TRAVEL	4,000	4,000
(C) PROF. FEES	2,200	2,200
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,651,561</u>	<u>\$ 2,719,361</u>

SECTION 3. APPROPRIATION - PLUMBING APPRENTICESHIP PROGRAM. There is hereby appropriated, to the Riverside Vocational Technical School, to be payable from the Riverside Vocational Technical School Fund, for personal services of the Riverside Vocational Technical School - Plumbing Apprenticeship Program for the biennial period ending June 30, 2007, the

1 following:

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3	ITEM	FISCAL YEARS	
4	<u>NO.</u>	2005-2006	2006-2007
5	(01) REGULAR SALARIES	\$ 55,351	\$ 56,952
6	(02) PERSONAL SERVICES MATCHING	<u>15,857</u>	<u>16,204</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 71,208</u>	<u>\$ 73,156</u>

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9 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 CONTINGENCY. (a) To address needs emerging from the restructuring of the
 12 Technical Institutes, Riverside Vocational Technical School shall establish
 13 and maintain for the ~~2003-2005~~ 2005-2007 biennium a pool of three (3)
 14 unclassified positions and two (2) classified positions, payable from funds
 15 appropriated for Riverside Vocational Technical School. These positions are
 16 to be used by Riverside Vocational Technical School in the event that the
 17 number and level of positions available to address the needs emerging from
 18 the increasing number of inmates incarcerated within the Arkansas Department
 19 of Correction and business and industry driven program expansions exceeds the
 20 number of positions regularly authorized for Riverside Vocational Technical
 21 School.

22 (b) Riverside Vocational Technical School shall provide justification to the
 23 Department of Finance and Administration's Office of Personnel Management
 24 (OPM) for the need to allocate titles from this position pool. No
 25 classifications will be assigned to the pool until such time as specific
 26 positions are requested and justified by Riverside Vocational Technical
 27 School, recommended by OPM and approved by the Legislative Council.
 28 Riverside Vocational Technical School may transfer positions from this pool
 29 to any pay schedule the agency currently maintains or any pay schedule the
 30 agency receives during the ~~2003-2005~~ 2005-2007 biennium.

31 (c) Determining the number of personnel to be employed by a state agency is
 32 the prerogative of the General Assembly and is usually accomplished by
 33 delineating the maximum number of personnel by identifying job titles and the
 34 maximum grade or salary attached to those titles. The General Assembly has
 35 determined that Riverside Vocational Technical School could be operated more
 36 efficiently if some flexibility is given to that agency. That flexibility is

1 being accomplished by providing growth pools in subsection (a) of this
 2 section and since the General Assembly has granted the agency broad powers
 3 under the growth pool concept, it is both necessary and appropriate that the
 4 General Assembly maintain oversight of the utilization of the growth pool by
 5 requiring prior approval of the Legislative Council in the utilization of the
 6 growth pool. Therefore, the requirement of approval by the Legislative
 7 Council is not a severable part of this section. If the requirement of
 8 approval by the Legislative Council is ruled unconstitutional by a court
 9 jurisdiction, this entire section is void.
 10 If the agency requests continuation of a "Growth Pool" position(s) as
 11 established herein during the next biennium, the position(s) must be
 12 requested as a new position(s) in the agency's biennial budget request.
 13 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005
 14 through June 30, ~~2005~~ 2007

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 16 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME
 18 FACULTY. Riverside Vocational Technical School and the Technical Institutes
 19 are not required to remit a state contribution to the state employee
 20 insurance trust fund on Workforce Education Part-time Faculty Positions
 21 unless the position will be utilized for more than 1,000 hours a year.
 22 The provisions of this section shall be in effect only from July 1, ~~2003~~
 23 2005 through June 30, ~~2005~~ 2007.

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 25 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 26 by this act shall be limited to the appropriation for such agency and funds
 27 made available by law for the support of such appropriations; and the
 28 restrictions of the State Procurement Law, the General Accounting and
 29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 30 Procedures and Restrictions Act, or their successors, and other fiscal
 31 control laws of this State, where applicable, and regulations promulgated by
 32 the Department of Finance and Administration, as authorized by law, shall be
 33 strictly complied with in disbursement of said funds.

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 35 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
 36 that any funds disbursed under the authority of the appropriations contained

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

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8 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a two (2) year period; that the
11 effectiveness of this Act on July 1, 2005 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the Regular Session, the delay in the effective
14 date of this Act beyond July 1, 2005 could work irreparable harm upon the
15 proper administration and provision of essential governmental programs.
16 Therefore, an emergency is hereby declared to exist and this Act being
17 necessary for the immediate preservation of the public peace, health and
18 safety shall be in full force and effect from and after July 1, 2005.

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22 **APPROVED: 3/30/2005**
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