

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 1391 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/8/05

A Bill

HOUSE BILL 1167

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 CROWLEY'S
11 RIDGE TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE CROWLEY'S RIDGE
16 TECHNICAL INSTITUTE APPROPRIATION FOR
17 THE 2005-2007 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
24 Crowley's Ridge Technical Institute for the 2005-2007 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



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years 2005-2006	Salary Rate Fiscal Years 2006-2007
4	(1) 9752	VO TECH TECHNICIAN II	4	\$65,182	\$66,970
5	(2) 9046	WORKFORCE ED FACULTY	31	\$55,351	\$56,952
6	(3) 9047	WORKFORCE ED PART TIME FACULTY	5	\$19,109	\$19,709
7	(4) 247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
8	(5) 482Z	ED VO TECH SCHOOL ASST DIR	3	GRADE 23	
9	(6) M100	VOCATIONAL COUNSELOR	1	GRADE 21	
10	(7) E094	DAY CARE TEACHER SUPERVISOR	1	GRADE 19	
11	(8) G028	BLDG PLANT MAINTENANCE SUPV II	2	GRADE 18	
12	(9) R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
13	(10) R190	PERSONNEL OFFICER II	1	GRADE 17	
14	(11) A108	ACCOUNTING TECHNICIAN II	2	GRADE 15	
15	(12) K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
16	(13) K153	SECRETARY II	5	GRADE 13	
17	(14) G109	BLDG/EQUIP MAINT REPAIRMAN II	<u>3</u>	GRADE 08	
18		MAX. NO. OF EMPLOYEES	61		

19

20 SECTION 2. EXTRA HELP. There is hereby authorized, for the Crowley's
 21 Ridge Technical Institute for the 2005-2007 biennium, the following maximum
 22 number of part-time or temporary employees, to be known as "Extra Help",
 23 payable from funds appropriated herein for such purposes: seventy six (76)
 24 temporary or part-time employees, when needed, at rates of pay not to exceed
 25 those provided in the Uniform Classification and Compensation Act, or its
 26 successor, or this act for the appropriate classification.

27

28 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the
 29 Crowley's Ridge Technical Institute, to be payable from the Crowley's Ridge
 30 Technical Institute Fund, for personal services and operating expenses of the
 31 Crowley's Ridge Technical Institute - State for the biennial period ending
 32 June 30, 2007, the following:

33

ITEM NO.	FISCAL YEARS 2005-2006	FISCAL YEARS 2006-2007
36 (01) REGULAR SALARIES	\$ 2,430,908	\$ 2,501,386

1	(02) EXTRA HELP	158,400	158,400
2	(03) PERSONAL SERVICES MATCHING	802,582	819,366
3	(04) MAINT. & GEN. OPERATION		
4	(A) OPER. EXPENSE	837,421	837,421
5	(B) CONF. & TRAVEL	5,500	5,500
6	(C) PROF. FEES	0	0
7	(D) CAP. OUTLAY	0	0
8	(E) DATA PROC.	<u>0</u>	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,234,811</u>	<u>\$ 4,322,073</u>

10

11 SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 12 Crowley's Ridge Technical Institute, to be payable from the federal funds as
 13 designated by the Chief Fiscal Officer of the State, for personal services
 14 and operating expenses of the Crowley's Ridge Technical Institute - Federal
 15 for the biennial period ending June 30, 2007, the following:

16

17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
19	(01) REGULAR SALARIES	\$ 129,811	\$ 133,613
20	(02) EXTRA HELP	52,003	52,003
21	(03) PERSONAL SERVICES MATCHING	45,353	46,260
22	(04) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE	28,539	28,539
24	(B) CONF. & TRAVEL	1,500	1,500
25	(C) PROF. FEES	0	0
26	(D) CAP. OUTLAY	25,000	25,000
27	(E) DATA PROC.	<u>0</u>	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 282,206</u>	<u>\$ 286,915</u>

29

30 SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 31 Crowley's Ridge Technical Institute, to be payable from cash funds as defined
 32 by Arkansas Code 19-4-801 of the Crowley's Ridge Technical Institute, for
 33 personal services and operating expenses of the Crowley's Ridge Technical
 34 Institute - Cash for the biennial period ending June 30, 2007, the following:

35

36	ITEM	FISCAL YEARS	
----	------	--------------	--

<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) REGULAR SALARIES	\$ 185,162	\$ 190,565
(02) EXTRA HELP	162,631	162,631
(03) PERSONAL SERVICES MATCHING	75,576	76,864
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	350,000	350,000
(B) CONF. & TRAVEL	17,000	17,000
(C) PROF. FEES	15,000	15,000
(D) CAP. OUTLAY	300,000	300,000
(E) DATA PROC.	0	0
(05) RESALE	210,000	210,000
(06) DEBT SERVICE	<u>1,000</u>	<u>1,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,316,369</u>	<u>\$ 1,323,060</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, Crowley's Ridge Technical Institute shall establish and maintain for the ~~2003-2005~~ 2005-2007 biennium a pool of four (4) unclassified positions and four (4) classified positions, payable from funds appropriated for Crowley's Ridge Technical Institute. These positions are to be used by Crowley's Ridge 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 Crowley's Ridge Technical Institute.

(b) Crowley's Ridge 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 positions are requested and justified by Crowley's Ridge Technical Institute, recommended by OPM and approved by the Legislative Council. Crowley's Ridge Technical Institute may transfer positions from this pool to any pay schedule the agency currently maintains or any pay schedule the agency receives during the ~~2003-2005~~ 2005-2007 biennium.

(c) Determining the number of personnel to be employed by a state agency is the prerogative of the General Assembly and is usually accomplished by

1 delineating the maximum number of personnel by identifying job titles and the
2 maximum grade or salary attached to those titles. The General Assembly has
3 determined that Crowley's Ridge Technical Institute could be operated more
4 efficiently if some flexibility is given to that agency. That flexibility is
5 being accomplished by providing growth pools in subsection (a) of this
6 section and since the General Assembly has granted the agency broad powers
7 under the growth pool concept, it is both necessary and appropriate that the
8 General Assembly maintain oversight of the utilization of the growth pool by
9 requiring prior approval of the Legislative Council in the utilization of the
10 growth pool. Therefore, the requirement of approval by the Legislative
11 Council is not a severable part of this section. If the requirement of
12 approval by the Legislative Council is ruled unconstitutional by a court of
13 competent jurisdiction, this entire section is void.
14 If the agency requests continuation of a "Growth Pool" position(s) as
15 established herein during the next biennium, the position(s) must be
16 requested as a new position(s) in the agency's biennial budget request.
17 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005
18 through June 30, ~~2005~~ 2007.

19

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

26 The provisions of this section shall be in effect only from July 1, ~~2003~~
27 2005 through June 30, ~~2005~~ 2007.

28

29 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
31 ADDITIONAL TEACHING LOAD. Instructional staff in a postsecondary technical
32 institute as authorized for the various technical institutes, may be paid up
33 to forty five (\$45) per clock hour for the fiscal year ending June 30, 2006
34 and up to fifty dollars (\$50) per clock hour for the fiscal year ending June
35 30, 2007, for non-credit teaching assignments; or, up to five hundred dollars
36 (\$500) per semester hour for the fiscal year ending June 30, 2006, and up to

1 five hundred fifty dollars (\$550) per semester hour for the fiscal year
2 ending June 30, 2007, for teaching courses beyond the defined teaching load;
3 and the employee's maximum allowable salary may be exceeded by such amount;
4 provided, however, that such additional teaching load may not exceed one
5 hundred fifty (150) clock hours or nine (9) semester credit hours per school
6 year. Further, the provisions of this section shall only apply to credit and
7 noncredit courses that are funded by Private Industry.

8 The provisions of this section shall be in effect only from July 1,
9 2005 through June 30,2007.

10
11 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
13 HELP RESTRICTION. No employee of Crowley's Ridge Technical Institute, who
14 is employed as "Extra Help" may receive an amount to exceed eighty-five
15 percent (85%) of the maximum annual salary for a comparable position as
16 authorized under Arkansas Code 21-5-201 et seq. during any fiscal year, nor
17 shall such employee be employed for a period of time to exceed fourteen
18 hundred (1400) hours in any single fiscal year.

19 The provisions of this section shall be in effect only from July 1,
20 2005 through June 30,2007.

21
22 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
23 by this act shall be limited to the appropriation for such agency and funds
24 made available by law for the support of such appropriations; and the
25 restrictions of the State Procurement Law, the General Accounting and
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
27 Procedures and Restrictions Act, or their successors, and other fiscal
28 control laws of this State, where applicable, and regulations promulgated by
29 the Department of Finance and Administration, as authorized by law, shall be
30 strictly complied with in disbursement of said funds.

31
32 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly
33 that any funds disbursed under the authority of the appropriations contained
34 in this act shall be in compliance with the stated reasons for which this act
35 was adopted, as evidenced by the Agency Requests, Executive Recommendations
36 and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral
2 testimony in the official minutes of the Arkansas Legislative Council or
3 Joint Budget Committee which relate to its passage and adoption.

4
5 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General
6 Assembly, that the Constitution of the State of Arkansas prohibits the
7 appropriation of funds for more than a two (2) year period; that the
8 effectiveness of this Act on July 1, 2005 is essential to the operation of
9 the agency for which the appropriations in this Act are provided, and that in
10 the event of an extension of the Regular Session, the delay in the effective
11 date of this Act beyond July 1, 2005 could work irreparable harm upon the
12 proper administration and provision of essential governmental programs.
13 Therefore, an emergency is hereby declared to exist and this Act being
14 necessary for the immediate preservation of the public peace, health and
15 safety shall be in full force and effect from and after July 1, 2005.

16
17 */s/ Joint Budget Committee*

18
19
20 *APPROVED: 3/30/2005*

1