

**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 796 of the Regular Session**

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 1213

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 NORTHWEST  
11 TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD  
12 ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.  
13

## Subtitle

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15 AN ACT FOR THE NORTHWEST TECHNICAL  
16 INSTITUTE APPROPRIATION FOR THE  
17 2007-2009 BIENNIUM.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Northwest Technical Institute for the 2007-2009 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.  
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35 Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years	
				2007-2008	2008-2009
4	(1) 9752	VO TECH TECHNICIAN II	10	\$68,309	\$69,675
5	(2) 9753	VO TECH TECHNICIAN I	3	\$62,337	\$63,583
6	(3) 9046	WORKFORCE ED FACULTY	28	\$58,091	\$59,252
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) D036	SR PROGRAMMER/ANALYST	2	GRADE 21	
10	(7) M100	VOCATIONAL COUNSELOR	2	GRADE 21	
11	(8) R144	PROGRAM COORDINATOR	1	GRADE 20	
12	(9) R032	ASST REGISTRAR	1	GRADE 18	
13	(10) G028	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18	
14	(11) R190	PERSONNEL OFFICER II	1	GRADE 17	
15	(12) R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
16	(13) R009	ADMINISTRATIVE ASSISTANT I	2	GRADE 15	
17	(14) A063	PAYROLL OFFICER	1	GRADE 15	
18	(15) A108	ACCOUNTING TECHNICIAN II	2	GRADE 15	
19	(16) K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
20	(17) R041	BOOKSTORE OFFICE MANAGER	1	GRADE 14	
21	(18) K153	SECRETARY II	3	GRADE 13	
22	(19) E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13	
23	(20) G165	WORK MAINTENANCE LEADER	1	GRADE 10	
24	(21) G109	BLDG/EQUIP MAINT REPAIRMAN II	<u>2</u>	GRADE 08	
25	MAX. NO. OF EMPLOYEES		69		

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27 SECTION 2. EXTRA HELP. There is hereby authorized, for the Northwest  
 28 Technical Institute for the 2007-2009 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 - State for the biennial period ending June 30, 2009, the  
 3 following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 2,336,261	\$ 2,382,986
(02) EXTRA HELP	361,093	361,093
(03) PERSONAL SERVICES MATCHING	778,641	788,791
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	697,548	697,548
(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>\$ 4,185,043</u>	<u>\$ 4,241,918</u>

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 - Federal for the  
 22 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 92,066	\$ 93,907
(02) EXTRA HELP	30,598	30,598
(03) PERSONAL SERVICES MATCHING	34,948	35,346
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	20,539	20,539
(B) CONF. & TRAVEL	2,000	2,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 180,151</u>	<u>\$ 182,390</u>

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 - Cash for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 285,878	\$ 291,595
(02) EXTRA HELP	562,500	562,500
(03) PERSONAL SERVICES MATCHING	139,034	140,273
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	353,500	353,500
(B) CONF. & TRAVEL	15,000	15,000
(C) PROF. FEES	350,000	350,000
(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>\$ 2,238,327</u>	<u>\$ 2,245,283</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 ~~2005-2007~~ 2007-2009 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 ~~2005-2007~~ 2007-2009 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 of  
 20 competent 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 agency's biennial budget request.

24 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 25 2007 through June 30, ~~2007~~ 2009.

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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, ~~2005~~  
 34 2007 through June 30, ~~2007~~ 2009.

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 36 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 2 ADDITIONAL TEACHING LOAD. Instructional staff at Northwest Technical  
 3 Institute, may be paid up to forty five dollars (\$45) per clock hour for the  
 4 fiscal year ending June 30, ~~2006~~ 2008 and up to fifty dollars (\$50) per clock  
 5 hour for the fiscal year ending June 30, ~~2007~~ 2009, for non-credit teaching  
 6 assignments; or up to five hundred dollars (\$500) per semester hour for the  
 7 fiscal year ending June 30, ~~2006~~ 2008, and up to five hundred fifty dollars  
 8 (\$550) per semester hour for the fiscal year ending June 30, ~~2007~~ 2009, for  
 9 teaching courses beyond the defined teaching load; and the employee's maximum  
 10 allowable salary may be exceeded by such amount; provided, however, that such  
 11 additional teaching load may not exceed one hundred fifty (150) clock hours  
 12 or nine (9) semester credit hours per school year. Further, the provisions  
 13 of this section shall only apply to credit and noncredit courses that are  
 14 funded by Private Industry.

15 The provisions of this section shall be in effect only from July 1, 2007  
 16 through June 30, 2009.

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 18 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
 20 HELP RESTRICTION. No employee at Northwest Technical Institute, who is  
 21 employed as "Extra Help" may exceed eighty-five percent (85%) of the maximum  
 22 annual salary for a comparable position as authorized under Arkansas Code 21-  
 23 5-201 et seq. during any fiscal year, nor shall such employee be employed for  
 24 a period of time to exceed fourteen hundred (1400) hours in any single fiscal  
 25 year.

26 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 27 2007 through June 30, ~~2007~~ 2009.

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 29 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 30 by this act shall be limited to the appropriation for such agency and funds  
 31 made available by law for the support of such appropriations; and the  
 32 restrictions of the State Procurement Law, the General Accounting and  
 33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 34 Procedures and Restrictions Act, or their successors, and other fiscal  
 35 control laws of this State, where applicable, and regulations promulgated by  
 36 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

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

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12 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General  
13 Assembly, that the Constitution of the State of Arkansas prohibits the  
14 appropriation of funds for more than a two (2) year period; that the  
15 effectiveness of this Act on July 1, 2007 is essential to the operation of  
16 the agency for which the appropriations in this Act are provided, and that in  
17 the event of an extension of the Regular Session, the delay in the effective  
18 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
19 proper administration and provision of essential governmental programs.  
20 Therefore, an emergency is hereby declared to exist and this Act being  
21 necessary for the immediate preservation of the public peace, health and  
22 safety shall be in full force and effect from and after July 1, 2007.

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24 APPROVED: 4/2/2007  
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