

**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 797 of the Regular Session**

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

A Bill

HOUSE BILL 1214

5 By: Joint Budget Committee
6
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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, 2009; AND FOR OTHER
13 PURPOSES.
14
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Subtitle

16 AN ACT FOR THE RIVERSIDE VOCATIONAL
17 TECHNICAL SCHOOL APPROPRIATION FOR THE
18 2007-2009 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 2007-2009 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	Class	Maximum No. of Employees	Maximum Annual Salary Rate	Fiscal Years	
No.	Code	Title	2007-2008	2008-2009	
(1)	9046	WORKFORCE ED FACULTY	29	\$58,091	\$59,252
(2)	247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
(3)	482Z	ED VO TECH SCHOOL ASST DIR	3	GRADE 23	
(4)	M100	VOCATIONAL COUNSELOR	1	GRADE 21	
(5)	A111	ACCOUNTANT	1	GRADE 18	
(6)	R010	ADMINISTRATIVE ASSISTANT II	2	GRADE 17	
(7)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	<u>1</u>	GRADE 14	
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, 2009, the following:

ITEM NO.		FISCAL YEARS	
		2007-2008	2008-2009
(01)	REGULAR SALARIES	\$ 1,425,629	\$ 1,454,141
(02)	PERSONAL SERVICES MATCHING	462,128	468,347
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	171,742	171,742
(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>\$ 2,065,699</u>	<u>\$ 2,100,430</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 and operating expenses of the Riverside Vocational Technical School - Plumbing Apprenticeship Program for the biennial period ending June 30,

1 2009, the following:

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3 ITEM	4 FISCAL YEARS	
	5 NO.	6
7 (01) REGULAR SALARIES	\$ 49,080	\$ 50,061
8 (02) PERSONAL SERVICES MATCHING	<u>14,905</u>	<u>15,119</u>
9 TOTAL AMOUNT APPROPRIATED	<u>\$ 63,985</u>	<u>\$ 65,180</u>

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9 SECTION 4. APPROPRIATION - WORKPLACE TRAINING. There is hereby
 10 appropriated, to the Riverside Vocational Technical School, to be payable
 11 from the federal funds as designated by the Chief Fiscal Officer of the
 12 State, for personal services and operating expenses of the Riverside
 13 Vocational Technical School - Workplace Training for the biennial period
 14 ending June 30, 2009, the following:

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16 ITEM	17 FISCAL YEARS	
	18 NO.	19
20 (01) REGULAR SALARIES	\$ 26,520	\$ 27,050
21 (02) PERSONAL SERVICES MATCHING	9,984	10,099
22 (03) MAINT. & GEN. OPERATION		
23 (A) OPER. EXPENSE	15,000	15,000
24 (B) CONF. & TRAVEL	0	0
25 (C) PROF. FEES	0	0
26 (D) CAP. OUTLAY	0	0
27 (E) DATA PROC.	0	0
28 (04) EDUCATION GRANTS	<u>200,000</u>	<u>200,000</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 251,504</u>	<u>\$ 252,149</u>

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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, Riverside Vocational Technical School shall establish
 33 and maintain for the ~~2005-2007~~ 2007-2009 biennium a pool of three (3)
 34 unclassified positions and two (2) classified positions, payable from funds
 35 appropriated for Riverside Vocational Technical School. These positions are
 36 to be used by Riverside Vocational Technical School in the event that the

1 number and level of positions available to address the needs emerging from
 2 the increasing number of inmates incarcerated within the Arkansas Department
 3 of Correction and business and industry driven program expansions exceeds the
 4 number of positions regularly authorized for Riverside Vocational Technical
 5 School.

6 (b) Riverside Vocational Technical School shall provide justification to the
 7 Department of Finance and Administration's Office of Personnel Management
 8 (OPM) for the need to allocate titles from this position pool. No
 9 classifications will be assigned to the pool until such time as specific
 10 positions are requested and justified by Riverside Vocational Technical
 11 School, recommended by OPM and approved by the Legislative Council.
 12 Riverside Vocational Technical School may transfer positions from this pool
 13 to any pay schedule the agency currently maintains or any pay schedule the
 14 agency receives during the ~~2005-2007~~ 2007-2009 biennium.

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

30 If the agency requests continuation of a "Growth Pool" position(s) as
 31 established herein during the next biennium, the position(s) must be
 32 requested as a new position(s) in the agency's biennial budget request.

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 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE

1 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME
 2 FACULTY. Riverside Vocational Technical School and the Technical Institutes
 3 are not required to remit a state contribution to the state employee
 4 insurance trust fund on Workforce Education Part-time Faculty Positions
 5 unless the position will be utilized for more than 1,000 hours a year.

6 The provisions of this section shall be in effect only from July 1, 2005
 7 2007 through June 30, ~~2007~~ 2009.

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

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

27
 28 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
 29 Assembly, that the Constitution of the State of Arkansas prohibits the
 30 appropriation of funds for more than a two (2) year period; that the
 31 effectiveness of this Act on July 1, 2007 is essential to the operation of
 32 the agency for which the appropriations in this Act are provided, and that in
 33 the event of an extension of the Regular Session, the delay in the effective
 34 date of this Act beyond July 1, 2007 could work irreparable harm upon the
 35 proper administration and provision of essential governmental programs.
 36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and
2 safety shall be in full force and effect from and after July 1, 2007.

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4 APPROVED: 4/2/2007
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