

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 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/22/01

A Bill

Act 1240 of 2001
HOUSE BILL 1901

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE QUAPAW TECHNICAL
11 INSTITUTE FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2003; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE QUAPAW TECHNICAL INSTITUTE
16 APPROPRIATION FOR THE 2001-2003 BIENNIAL.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the Quapaw
23 Technical Institute for the 2001-2003 biennium, the following maximum number
24 of regular employees whose salaries shall be governed by the provisions of the
25 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
26 seq.), or its successor, and all laws amendatory thereto. Provided, however,
27 that any position to which a specific maximum annual salary is set out herein
28 in dollars, shall be exempt from the provisions of said Uniform Classification
29 and Compensation Act. All persons occupying positions authorized herein are
30 hereby governed by the provisions of the Regular Salaries Procedures and
31 Restrictions Act (Arkansas Code §21-5-101), or its successor.
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		Maximum Annual			
		Maximum	Salary Rate		
Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2001-2002	2002-2003

1	(1)	9752	VO TECH TECHNICIAN II	3	\$58,778	\$60,306
2	(2)	9046	WORKFORCE ED FACULTY	33	\$49,723	\$51,015
3	(3)	9047	WORKFORCE ED PART TIME FACULTY	17	\$16,929	\$17,369
4	(4)	247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
5	(5)	482Z	ED VO TECH SCHOOL ASST DIR	2	GRADE 23	
6	(6)	A008	ACCOUNTING SUPV II	1	GRADE 21	
7	(7)	M100	VOCATIONAL COUNSELOR	1	GRADE 21	
8	(8)	G124	PLANT MAINTENANCE SUPV	1	GRADE 18	
9	(9)	R190	PERSONNEL OFFICER II	1	GRADE 17	
10	(10)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
11	(11)	A108	ACCOUNTING TECHNICIAN II	2	GRADE 15	
12	(12)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
13	(13)	K153	SECRETARY II	2	GRADE 13	
14	(14)	G109	BLDG/EQUIP MAINT REPAIRMAN II	2	GRADE 08	
15	(15)	T061	WATCHMAN	<u>1</u>	GRADE 03	
16			MAX. NO. OF EMPLOYEES	<u>69</u>		

SECTION 2. APPROPRIATION - STATE. There is hereby appropriated, to the Quapaw Technical Institute, to be payable from the Quapaw Technical Institute Fund, for personal services and operating expenses of the Quapaw Technical Institute - State for the biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
(01) REGULAR SALARIES	\$ 2,360,055	\$ 2,421,391
(02) EXTRA HELP	45,000	45,000
(03) PERSONAL SERV MATCHING	650,999	663,075
(04) OVERTIME	8,000	8,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	600,563	601,993
(B) CONF. & TRAVEL	10,716	10,716
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,675,333</u>	<u>\$ 3,750,175</u>

SECTION 3. APPROPRIATIONS - CASH. There is hereby appropriated, to the Quapaw Technical Institute, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Quapaw Technical Institute, for personal services and operating expenses of the Quapaw Technical Institute - Cash for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 167,162	\$ 171,506
(02) EXTRA HELP	203,365	202,485
(03) PERSONAL SERV MATCHING	66,523	67,312
(04) OVERTIME	1,200	1,200
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	283,463	283,463
(B) CONF. & TRAVEL	9,000	9,000
(C) PROF. FEES	90,627	90,627
(D) CAP. OUTLAY	60,000	60,000
(E) DATA PROC.	0	0
(06) RESALE	<u>114,100</u>	<u>114,100</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 995,440</u>	<u>\$ 999,693</u>

SECTION 4. EXTRA HELP. There is hereby authorized, for the Quapaw Technical Institute for the 2001-2003 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: sixty seven (67) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 5. 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, Quapaw Technical Institute shall establish and maintain for the ~~1999-2001~~ 2001-2003 biennium a pool of four (4) unclassified positions and three (3) classified positions, payable from funds appropriated for Quapaw Technical Institute. These positions are to be used by Quapaw Technical

1 Institute in the event that the number and level of positions available to
2 address the needs emerging from business and industry driven program
3 expansions exceeds the number of positions regularly authorized for Quapaw
4 Technical Institute.

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6 (b) Quapaw Technical Institute shall provide justification to the Department
7 of Finance and Administration's Office of Personnel Management (OPM) for the
8 need to allocate titles from this position pool. No classifications will be
9 assigned to the pool until such time as specific positions are requested and
10 justified by Quapaw Technical Institute, recommended by OPM and approved by
11 the Legislative Council. Quapaw Technical Institute may transfer positions
12 from this pool to any pay schedule the agency currently maintains or any pay
13 schedule the agency receives during the ~~1999-2001~~ 2001-2003 biennium.

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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 Quapaw Technical Institute could be operated more efficiently
20 if some flexibility is given to that agency. That flexibility is being
21 accomplished by providing growth pools in subsection (a) of this section and
22 since the General Assembly has granted the agency broad powers under the
23 growth pool concept, it is both necessary and appropriate that the General
24 Assembly maintain oversight of the utilization of the growth pool by requiring
25 prior approval of the Legislative Council in the utilization of the growth
26 pool. Therefore, the requirement of approval by the Legislative Council is
27 not a severable part of this section. If the requirement of approval by the
28 Legislative Council is ruled unconstitutional by a court jurisdiction, this
29 entire section is void.

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

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33 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
34 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME
35 FACULTY. The Technical Institutes are not required to remit a state
36 contribution to the state employee insurance trust fund on Workforce Education

1 Part-time Faculty Positions unless the position will be utilized for more than
2 1,000 hours a year.

3 The provisions of this section shall be in effect only from July 1, 2001
4 through June 30, 2003.

5
6 SECTION 7. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
7 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
8 appropriations as provided in this Act, the agency disbursing officer shall
9 monitor the level of fund balances in relation to expenditures on a monthly
10 basis. If any proposed expenditures would cause a fund balance to decline to
11 less than fifty percent (50%) of the balance available on July 1, 2001, the
12 disbursing officer shall immediately notify the executive head of the agency.
13 Prior to any obligations being made under these circumstances, the agency head
14 shall file written documentation with the Chief Fiscal Officer of the State
15 requesting approval of the expenditures. Such documentation shall provide
16 sufficient financial data to justify the expenditures and shall include the
17 following:

- 18 1) a plan that clearly indicates the specific fiscal impact of such
19 expenditures on the fund balance.
- 20 2) information clearly indicating and explaining what programs would be cut or
21 any other measures to be taken by the agency to restore the fund balance.
- 22 3) the extent to which any of the planned expenditures are for one-time costs
23 or one-time purchase of capitalized items.
- 24 4) a statement certifying that the expenditure of fund balances will not
25 jeopardize the financial health of the agency, nor result in a permanent
26 depletion of the fund balance.

27 (B) The Chief Fiscal Officer of the State shall review the request and
28 approve or disapprove all or any part of the request , after having sought
29 prior review by the Legislative Council.

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31 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
32 this act shall be limited to the appropriation for such agency and funds made
33 available by law for the support of such appropriations; and the restrictions
34 of the State Purchasing Law, the General Accounting and Budgetary Procedures
35 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
36 Restrictions Act, or their successors, and other fiscal control laws of this

1 State, where applicable, and regulations promulgated by the Department of
2 Finance and Administration, as authorized by law, shall be strictly complied
3 with in disbursement of said funds.

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

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14 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
15 Assembly, that the Constitution of the State of Arkansas prohibits the
16 appropriation of funds for more than a two (2) year period; that the
17 effectiveness of this Act on July 1, 2001 is essential to the operation of the
18 agency for which the appropriations in this Act are provided, and that in the
19 event of an extension of the Regular Session, the delay in the effective date
20 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
21 administration and provision of essential governmental programs. Therefore, an
22 emergency is hereby declared to exist and this Act being necessary for the
23 immediate preservation of the public peace, health and safety shall be in full
24 force and effect from and after July 1, 2001.

25 */s/ Joint Budget Committee*

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28 APPROVED: 4/2/2001
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