

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

# A Bill

Act 36 of 2001  
HOUSE BILL 1210

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 SERVICES  
10 AND OPERATING EXPENSES FOR THE STATE BOARD OF PRIVATE  
11 CAREER EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE  
12 30, 2003; AND FOR OTHER PURPOSES.  
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14

## Subtitle

15 AN ACT FOR THE STATE BOARD OF PRIVATE  
16 CAREER EDUCATION APPROPRIATION FOR  
17 THE 2001-2003 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 State  
24 Board of Private Career Education for the 2001-2003 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 salary  
29 is set out herein in dollars, shall be exempt from the provisions of said  
30 Uniform Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 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)	8902	PCE BD DIRECTOR	1	\$80,703	\$82,801
(2)	R028	ED PROGRAM ANALYST	1	GRADE 21	
(3)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
		MAX. NO. OF EMPLOYEES	3		

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Private Career Education 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: four (4) 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 3. APPROPRIATION. There is hereby appropriated, to the State Board of Private Career Education, to be payable from the Private Career Education Fund, for personal services and operating expenses of the State Board of Private Career Education for the biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 128,796	\$ 132,145
(02) EXTRA HELP	18,000	18,000
(03) PERSONAL SERV MATCHING	35,642	36,302
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	30,000	30,000
(B) CONF. & TRAVEL	4,000	4,000
(C) PROF. FEES	3,000	3,000
(D) CAP. OUTLAY	10,000	10,000
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	\$ 229,438	\$ 233,447

SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the State Board of Private Career Education, to be payable from cash funds as

defined by Arkansas Code 19-4-801 of the State Board of Private Career Education, for operating expenses of the State Board of Private Career Education for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	81,287	81,287
(B) CONF. & TRAVEL	8,898	8,898
(C) PROF. FEES	10,000	10,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>315</u>	<u>315</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 100,500</u>	<u>\$ 100,500</u>

SECTION 5. APPROPRIATION - STUDENT PROTECTION TRUST. There is hereby appropriated, to the State Board of Private Career Education, to be payable from the Private Career School Student Protection Trust Fund, for expenses, claims and fees of the State Board of Private Career Education for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) EXPENSES/CLAIMS/FEES	<u>\$ 500,000</u>	<u>\$ 500,000</u>

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

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

10 (B) The Chief Fiscal Officer of the State shall review the request and

11 approve or disapprove all or any part of the request , after having sought

12 prior review by the Legislative Council.

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14 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by

15 this act shall be limited to the appropriation for such agency and funds made

16 available by law for the support of such appropriations; and the restrictions

17 of the State Purchasing Law, the General Accounting and Budgetary Procedures

18 Law, the Revenue Stabilization Law, the Regular Salary Procedures and

19 Restrictions Act, or their successors, and other fiscal control laws of this

20 State, where applicable, and regulations promulgated by the Department of

21 Finance and Administration, as authorized by law, shall be strictly complied

22 with in disbursement of said funds.

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24 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly

25 that any funds disbursed under the authority of the appropriations contained

26 in this act shall be in compliance with the stated reasons for which this act

27 was adopted, as evidenced by the Agency Requests, Executive Recommendations

28 and Legislative Recommendations contained in the budget manuals prepared by

29 the Department of Finance and Administration, letters, or summarized oral

30 testimony in the official minutes of the Arkansas Legislative Council or Joint

31 Budget Committee which relate to its passage and adoption.

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33 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General

34 Assembly, that the Constitution of the State of Arkansas prohibits the

35 appropriation of funds for more than a two (2) year period; that the

36 effectiveness of this Act on July 1, 2001 is essential to the operation of the

1 agency for which the appropriations in this Act are provided, and that in the  
2 event of an extension of the Regular Session, the delay in the effective date  
3 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
4 administration and provision of essential governmental programs. Therefore, an  
5 emergency is hereby declared to exist and this Act being necessary for the  
6 immediate preservation of the public peace, health and safety shall be in full  
7 force and effect from and after July 1, 2001.

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10 APPROVED: 1/29/2001  
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