

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 556 of 2001
HOUSE BILL 1903

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 RIVERSIDE VOCATIONAL
11 TECHNICAL SCHOOL FOR THE BIENNIAL PERIOD ENDING JUNE
12 30, 2003; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE RIVERSIDE VOCATIONAL
16 TECHNICAL SCHOOL 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
24 Riverside Vocational Technical School for the 2001-2003 biennium, the
25 following maximum number of regular employees whose salaries shall be
26 governed by the provisions of the Uniform Classification and Compensation Act
27 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
28 thereto. Provided, however, that any position to which a specific maximum
29 annual salary is set out herein in dollars, shall be exempt from the
30 provisions of said Uniform Classification and Compensation Act. All persons
31 occupying positions authorized herein are hereby governed by the provisions
32 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
33 101), or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate

Item	Class		No. of Employees	Fiscal Years	
	No.	Title		2001-2002	2002-2003
3	(1)	9046 WORKFORCE ED FACULTY	34	\$49,723	\$51,015
4	(2)	247Z ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
5	(3)	482Z ED VO TECH SCHOOL ASST DIR	5	GRADE 23	
6	(4)	M100 VOCATIONAL COUNSELOR	2	GRADE 21	
7	(5)	A111 ACCOUNTANT	1	GRADE 18	
8	(6)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
9	(7)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
10	(8)	K153 SECRETARY II	<u>1</u>	GRADE 13	
11		MAX. NO. OF EMPLOYEES	46		

12

13 SECTION 2. APPROPRIATION - STATE. There is hereby appropriated, to the
 14 Riverside Vocational Technical School, to be payable from the Riverside
 15 Vocational Technical School Fund, for personal services and operating
 16 expenses of the Riverside Vocational Technical School - State for the
 17 biennial period ending June 30, 2003, the following:

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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
21 (01) REGULAR SALARIES	\$ 2,081,961	\$ 2,136,067
22 (02) PERSONAL SERV MATCHING	560,625	571,722
23 (03) MAINT. & GEN. OPERATION		
24 (A) OPER. EXPENSE	271,302	271,302
25 (B) CONF. & TRAVEL	6,000	6,000
26 (C) PROF. FEES	3,930	3,930
27 (D) CAP. OUTLAY	0	0
28 (E) DATA PROC.	<u>0</u>	<u>0</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,923,818</u>	<u>\$ 2,989,021</u>

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31 SECTION 3. APPROPRIATION - PLUMBING APPRENTICESHIP PROGRAM. There is
 32 hereby appropriated, to the Riverside Vocational Technical School, to be
 33 payable from the Riverside Vocational Technical School Fund, for personal
 34 services of the Riverside Vocational Technical School - Plumbing
 35 Apprenticeship Program for the biennial period ending June 30, 2003, the
 36 following:

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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 49,723	\$ 51,015
(02) PERSONAL SERV MATCHING	<u>13,168</u>	<u>13,433</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 62,891</u>	<u>\$ 64,448</u>

SECTION 4. 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, Riverside Vocational Technical School shall establish and maintain for the ~~1999-2001~~ 2001-2003 biennium a pool of three (3) unclassified positions and two (2) classified positions, payable from funds appropriated for Riverside Vocational Technical School. These positions are to be used by Riverside Vocational Technical School 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 Riverside Vocational Technical School.

(b) Riverside Vocational Technical School 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 Riverside Vocational Technical School, recommended by OPM and approved by the Legislative Council. Riverside Vocational Technical School may transfer positions from this pool to any pay schedule the agency currently maintains or any pay schedule the agency receives during the ~~1999-2001~~ 2001-2003 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 delineating the maximum number of personnel by identifying job titles and the maximum grade or salary attached to those titles. The General Assembly has determined that Riverside Vocational Technical School could be operated more efficiently if some flexibility is given to that agency. That flexibility is being accomplished by providing growth pools in subsection (a) of this

1 section and since the General Assembly has granted the agency broad powers
2 under the growth pool concept, it is both necessary and appropriate that the
3 General Assembly maintain oversight of the utilization of the growth pool by
4 requiring prior approval of the Legislative Council in the utilization of the
5 growth pool. Therefore, the requirement of approval by the Legislative
6 Council is not a severable part of this section. If the requirement of
7 approval by the Legislative Council is ruled unconstitutional by a court
8 jurisdiction, this entire section is void.

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

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12 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME
14 FACULTY. Riverside Vocational Technical School and the Technical Institutes
15 are not required to remit a state contribution to the state employee
16 insurance trust fund on Workforce Education Part-time Faculty Positions
17 unless the position will be utilized for more than 1,000 hours a year.

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

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

33 1) a plan that clearly indicates the specific fiscal impact of such
34 expenditures on the fund balance.

35 2) information clearly indicating and explaining what programs would be cut
36 or any other measures to be taken by the agency to restore the fund balance.

1 3) the extent to which any of the planned expenditures are for one-time costs
2 or one-time purchase of capitalized items.

3 4) a statement certifying that the expenditure of fund balances will not
4 jeopardize the financial health of the agency, nor result in a permanent
5 depletion of the fund balance.

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

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

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

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29 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
30 Assembly, that the Constitution of the State of Arkansas prohibits the
31 appropriation of funds for more than a two (2) year period; that the
32 effectiveness of this Act on July 1, 2001 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the Regular Session, the delay in the effective
35 date of this Act beyond July 1, 2001 could work irreparable harm upon the
36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 2001.

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6 **APPROVED: 3/5/2001**
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