

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

As Engrossed: H3/9/99  
**A Bill**

HOUSE BILL 1600

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 ARKANSAS VALLEY  
11 TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD ENDING  
12 JUNE 30, 2001; AND FOR OTHER PURPOSES."

**Subtitle**

15 "AN ACT FOR THE ARKANSAS VALLEY TECHNICAL  
16 INSTITUTE APPROPRIATION FOR THE 1999-2001  
17 BIENNIUM."  
18  
19

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 Arkansas  
23 Valley Technical Institute for the 1999-2001 biennium, the following maximum  
24 number of regular employees whose salaries shall be governed by the provisions  
25 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201  
26 et seq.), or its successor, and all laws amendatory thereto. Provided,  
27 however, that any position to which a specific maximum annual salary is set  
28 out herein in dollars, shall be exempt from the provisions of said Uniform  
29 Classification and Compensation Act. All persons occupying positions  
30 authorized herein are hereby governed by the provisions of the Regular  
31 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
32 successor.  
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|    |            |         |                |
|----|------------|---------|----------------|
| 34 |            |         | Maximum Annual |
| 35 |            | Maximum | Salary Rate    |
| 36 | Item Class | No. of  | Fiscal Years   |

\*KCA044\*

|    | No.  | Code | Title                              | Employees | 1999-2000 | 2000-2001 |
|----|------|------|------------------------------------|-----------|-----------|-----------|
| 1  |      |      |                                    |           |           |           |
| 2  | (1)  | 9752 | VO TECH TECHNICIAN II              | 3         | \$55,729  | \$57,289  |
| 3  | (2)  | 9753 | VO TECH TECHNICIAN I               | 5         | \$50,713  | \$52,132  |
| 4  | (3)  | 9046 | WORKFORCE ED FACULTY               | 25        | \$47,143  | \$48,463  |
| 5  | (4)  | 9047 | WORKFORCE ED PART TIME FACULTY     | 50        | \$16,500  | \$16,500  |
| 6  | (5)  | 247Z | ED VO TECH SCHOOL DIRECTOR         | 1         |           | GRADE 25  |
| 7  | (6)  | 482Z | ED VO TECH SCHOOL ASST DIR         | 3         |           | GRADE 23  |
| 8  | (7)  | M100 | VOCATIONAL COUNSELOR               | 1         |           | GRADE 21  |
| 9  | (8)  | G028 | BLDG PLANT MAINTENANCE SUPV II     | 1         |           | GRADE 18  |
| 10 | (9)  | N328 | INFORMATION OFFICER II             | 1         |           | GRADE 18  |
| 11 | (10) | R010 | ADMINISTRATIVE ASSISTANT II        | 1         |           | GRADE 17  |
| 12 | (11) | R440 | BUSINESS CONTROLLER II             | 1         |           | GRADE 16  |
| 13 | (12) | A108 | ACCOUNTING TECHNICIAN II           | 1         |           | GRADE 15  |
| 14 | (13) | K041 | EXECUTIVE SECY/ADMINISTRATIVE SECY | 1         |           | GRADE 14  |
| 15 | (14) | K153 | SECRETARY II                       | 2         |           | GRADE 13  |
| 16 | (15) | K089 | PERSONNEL ASSISTANT                | 1         |           | GRADE 12  |
| 17 | (16) | G109 | BLDG/EQUIP MAINT REPAIRMAN II      | <u>2</u>  |           | GRADE 08  |
| 18 |      |      | MAX. NO. OF EMPLOYEES              | 99        |           |           |
| 19 |      |      |                                    |           |           |           |

SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the Arkansas Valley Technical Institute - State for the 1999-2001 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: *thirteen (13)* 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 - STATE. There is hereby appropriated, to the Arkansas Valley Technical Institute, to be payable from the Arkansas Valley Technical Institute Fund Account, for personal services and operating expenses of the Arkansas Valley Technical Institute - State for the biennial period ending June 30, 2001, the following:

| ITEM                  | FISCAL YEARS |              |
|-----------------------|--------------|--------------|
|                       | 1999-2000    | 2000-2001    |
| (01) REGULAR SALARIES | \$ 1,512,199 | \$ 1,556,235 |

|    |      |                           |                     |                     |
|----|------|---------------------------|---------------------|---------------------|
| 1  | (02) | EXTRA HELP                | 120,960             | 120,960             |
| 2  | (03) | PERSONAL SERV MATCHING    | 442,303             | 454,193             |
| 3  | (04) | OVERTIME                  | 5,000               | 5,000               |
| 4  | (05) | MAINT. & GEN. OPERATION   |                     |                     |
| 5  | (A)  | OPER. EXPENSE             | 540,331             | 540,331             |
| 6  | (B)  | CONF. & TRAVEL            | 3,500               | 3,500               |
| 7  | (C)  | PROF. FEES                | 0                   | 0                   |
| 8  | (D)  | CAP. OUTLAY               | 0                   | 0                   |
| 9  | (E)  | DATA PROC.                | 0                   | 0                   |
| 10 | (06) | CONTINGENCY               | <u>226,127</u>      | <u>226,127</u>      |
| 11 |      | TOTAL AMOUNT APPROPRIATED | <u>\$ 2,850,420</u> | <u>\$ 2,906,346</u> |

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13 SECTION 4. EXTRA HELP - CASH. There is hereby authorized, for the Arkansas  
 14 Valley Technical Institute - Cash for the 1999-2001 biennium, the following  
 15 maximum number of part-time or temporary employees, to be known as "Extra  
 16 Help", payable from funds appropriated herein for such purposes: four (4)  
 17 temporary or part-time employees, when needed, at rates of pay not to exceed  
 18 those provided in the Uni form Classi fication and Compensation Act, or its  
 19 successor, or this act for the appropriate classi fication.

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21 SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the  
 22 Arkansas Valley Technical Institute, to be payable from cash funds as defined  
 23 by Arkansas Code 19-4-801 of the Arkansas Valley Technical Institute, for  
 24 personal services and operating expenses of the Arkansas Valley Technical  
 25 Institute - Cash for the biennial period ending June 30, 2001, the following:

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| 27 | ITEM                         | FISCAL YEARS     |                  |
|----|------------------------------|------------------|------------------|
| 28 | <u>NO.</u>                   | <u>1999-2000</u> | <u>2000-2001</u> |
| 29 | (01) REGULAR SALARIES        | \$ 329,694       | \$ 338,922       |
| 30 | (02) EXTRA HELP              | 67,000           | 67,000           |
| 31 | (03) PERSONAL SERV MATCHING  | 94,949           | 96,829           |
| 32 | (04) MAINT. & GEN. OPERATION |                  |                  |
| 33 | (A) OPER. EXPENSE            | 323,554          | 323,554          |
| 34 | (B) CONF. & TRAVEL           | 15,500           | 15,500           |
| 35 | (C) PROF. FEES               | 300,000          | 300,000          |
| 36 | (D) CAP. OUTLAY              | 70,000           | 70,000           |

|   |                           |                     |                     |
|---|---------------------------|---------------------|---------------------|
| 1 | (E) DATA PROC.            | 0                   | 0                   |
| 2 | (05) RESALE               | 200,000             | 200,000             |
| 3 | (06) DEBT SERVICE         | <u>86,494</u>       | <u>86,494</u>       |
| 4 | TOTAL AMOUNT APPROPRIATED | <u>\$ 1,487,191</u> | <u>\$ 1,498,299</u> |

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 6 SECTION 6. EXTRA HELP - FEDERAL. There is hereby authorized, for the  
 7 Arkansas Valley Technical Institute - Federal for the 1999-2001 biennium, the  
 8 following maximum number of part-time or temporary employees, to be known as  
 9 "Extra Help", payable from funds appropriated herein for such purposes: three  
 10 (3) temporary or part-time employees, when needed, at rates of pay not to  
 11 exceed those provided in the Uniform Classification and Compensation Act, or  
 12 its successor, or this act for the appropriate classification.

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 14 SECTION 7. APPROPRIATION - FEDERAL. There is hereby appropriated, to the  
 15 Arkansas Valley Technical Institute, to be payable from the federal funds as  
 16 designated by the Chief Fiscal Officer of the State, for personal services and  
 17 operating expenses of the Arkansas Valley Technical Institute - Federal for  
 18 the biennial period ending June 30, 2001, the following:

| 20 | ITEM                         | FISCAL YEARS     |                  |
|----|------------------------------|------------------|------------------|
| 21 | <u>NO.</u>                   | <u>1999-2000</u> | <u>2000-2001</u> |
| 22 | (01) REGULAR SALARIES        | \$ 50,713        | \$ 52,132        |
| 23 | (02) EXTRA HELP              | 17,500           | 17,500           |
| 24 | (03) PERSONAL SERV MATCHING  | 14,908           | 15,197           |
| 25 | (04) MAINT. & GEN. OPERATION |                  |                  |
| 26 | (A) OPER. EXPENSE            | 12,018           | 12,018           |
| 27 | (B) CONF. & TRAVEL           | 1,000            | 1,000            |
| 28 | (C) PROF. FEES               | 0                | 0                |
| 29 | (D) CAP. OUTLAY              | 0                | 0                |
| 30 | (E) DATA PROC.               | <u>0</u>         | <u>0</u>         |
| 31 | TOTAL AMOUNT APPROPRIATED    | <u>\$ 96,139</u> | <u>\$ 97,847</u> |

32  
 33 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 34 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
 35 LANGUAGE- CONTINGENCY. (a) To address needs emerging from the restructuring of  
 36 the Technical Institutes, Arkansas Valley Technical Institute shall establish

1 and maintain for the 1999-2001 biennium a pool of four (4) unclassified  
2 positions and three (3) classified positions, payable from funds appropriated  
3 for Arkansas Valley Technical Institute. These positions are to be used by  
4 Arkansas Valley Technical Institute in the event that the number and level of  
5 positions available to address the needs emerging from business and industry  
6 driven program expansions exceeds the number of positions regularly authorized  
7 for Arkansas Valley Technical Institute.

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

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

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35 SECTION 9. CONTINGENCY APPROPRIATION. There is hereby appropriated to the  
36 Arkansas Valley Technical Institute to be payable from the Arkansas Valley

1 Technical Institute's accounts for any program, as designated by the Chief  
 2 Fiscal Officer of the State, for salary and matching.

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| 4 ITEM             | FISCAL YEARS     |                  |
|--------------------|------------------|------------------|
| 5 <u>NO.</u>       | 1999-00          | 2000-01          |
| 6 (01) Contingency | <u>\$343,165</u> | <u>\$343,165</u> |

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

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

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27 SECTION 12. CODE. All provisions of this Act of a general and permanent  
 28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
 29 Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 13. SEVERABILITY. If any provision of this act or the application  
 32 thereof to any person or circumstance is held invalid, such invalidity shall  
 33 not affect other provisions or applications of the act which can be given  
 34 effect without the invalid provision or application, and to this end the  
 35 provisions of this act are declared to be severable except for that provided  
 36 in Section 8 (c) herein.

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SECTION 14. GENERAL REPEALER. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 15. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1999 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1999 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1999.

*/s/ Joint Budget Committee*