

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 1614

5 By: Joint Budget Committee  
6  
7

8 **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 2001; AND FOR OTHER PURPOSES. "  
13

14 **Subtitle**

15 "AN ACT FOR THE QUAPAW TECHNICAL  
16 INSTITUTE APPROPRIATION FOR THE 1999-2001  
17 BIENNIUM. "  
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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 Quapaw  
23 Technical Institute for the 1999-2001 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	1999-2000	2000-2001

\*KCA057\*

1	(1)	9752	VO TECH TECHNICIAN II	3	\$55,729	\$57,289
2	(2)	9046	WORKFORCE ED FACULTY	30	\$47,143	\$48,463
3	(3)	9047	WORKFORCE ED PART TIME FACULTY	70	\$16,500	\$16,500
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)	M100	VOCATIONAL COUNSELOR	1		GRADE 21
7	(7)	G124	PLANT MAINTENANCE SUPV	1		GRADE 18
8	(8)	R010	ADMINISTRATIVE ASSISTANT II	1		GRADE 17
9	(9)	A108	ACCOUNTING TECHNICIAN II	2		GRADE 15
10	(10)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1		GRADE 14
11	(11)	K153	SECRETARY II	1		GRADE 13
12	(12)	K089	PERSONNEL ASSISTANT	1		GRADE 12
13	(13)	G109	BLDG/EQUIP MAINT REPAIRMAN II	2		GRADE 08
14	(14)	T061	WATCHMAN	<u>1</u>		GRADE 03
15			MAX. NO. OF EMPLOYEES	117		

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17 SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the Quapaw  
 18 Technical Institute - State for the 1999-2001 biennium, the following maximum  
 19 number of part-time or temporary employees, to be known as "Extra Help",  
 20 payable from funds appropriated herein for such purposes: *twelve (12)*  
 21 temporary or part-time employees, when needed, at rates of pay not to exceed  
 22 those provided in the Uniform Classification and Compensation Act, or its  
 23 successor, or this act for the appropriate classification.

24

25 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the  
 26 Quapaw Technical Institute, to be payable from the Quapaw Technical Institute  
 27 Fund Account, for personal services and operating expenses of the Quapaw  
 28 Technical Institute - State for the biennial period ending June 30, 2001, the  
 29 following:

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31	ITEM		FISCAL YEARS	
32	<u>NO.</u>		<u>1999-2000</u>	<u>2000-2001</u>
33	(01)	REGULAR SALARIES	\$ 1,763,647	\$ 1,812,925
34	(02)	EXTRA HELP	132,980	132,980
35	(03)	PERSONAL SERV MATCHING	514,250	527,554
36	(04)	OVERTIME	8,000	8,000

1	(05) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	618,221	618,221
3	(B) CONF. & TRAVEL	11,748	11,748
4	(C) PROF. FEES	0	0
5	(D) CAP. OUTLAY	0	0
6	(E) DATA PROC.	0	0
7	(06) CONTINGENCY	<u>242,034</u>	<u>242,034</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,290,880</u>	<u>\$ 3,353,462</u>

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10 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the

11 Quapaw Technical Institute, to be payable from cash funds as defined by

12 Arkansas Code 19-4-801 of the Quapaw Technical Institute, for personal

13 services and operating expenses of the Quapaw Technical Institute - Cash for

14 the biennial period ending June 30, 2001, the following:

16	ITEM	FISCAL YEARS	
17	NO.	1999-2000	2000-2001
18	(01) REGULAR SALARIES	\$ 101,101	\$ 103,931
19	(02) EXTRA HELP	171,423	171,423
20	(03) PERSONAL SERV MATCHING	39,540	40,097
21	(04) MAINT. & GEN. OPERATION		
22	(A) OPER. EXPENSE	317,836	317,836
23	(B) CONF. & TRAVEL	9,000	9,000
24	(C) PROF. FEES	90,627	90,627
25	(D) CAP. OUTLAY	60,000	60,000
26	(E) DATA PROC.	0	0
27	(05) RESALE	<u>114,100</u>	<u>114,100</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 903,627</u>	<u>\$ 907,014</u>

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30 SECTION 5. EXTRA HELP - CASH. There is hereby authorized, for the Quapaw

31 Technical Institute - Cash for the 1999-2001 biennium, the following maximum

32 number of part-time or temporary employees, to be known as "Extra Help",

33 payable from funds appropriated herein for such purposes: twenty one (21)

34 temporary or part-time employees, when needed, at rates of pay not to exceed

35 those provided in the Uniform Classification and Compensation Act, or its

36 successor, or this act for the appropriate classification.

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2 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
3 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
4 LANGUAGE- CONTINGENCY. (a) To address needs emerging from the restructuring of  
5 the Technical Institutes, Quapaw Technical Institute shall establish and  
6 maintain for the 1999-2001 biennium a pool of four (4) unclassified positions  
7 and three (3) classified positions, payable from funds appropriated for Quapaw  
8 Technical Institute. These positions are to be used by Quapaw Technical  
9 Institute in the event that the number and level of positions available to  
10 address the needs emerging from business and industry driven program  
11 expansions exceeds the number of positions regularly authorized for Quapaw  
12 Technical Institute.

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

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

1 entire section is void.

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3 SECTION 7. CONTINGENCY APPROPRIATION. There is hereby appropriated to the  
4 Quapaw Technical Institute to be payable from the Quapaw Technical Institute's  
5 accounts for any program, as designated by the Chief Fiscal Officer of the  
6 State, for salary and matching.

8 ITEM	FISCAL YEARS	
9 NO.	1999-00	2000-01
10 (01) Contingency	<u>\$343,165</u>	<u>\$343,165</u>

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

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

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31 SECTION 10. CODE. All provisions of this Act of a general and permanent  
32 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
33 Code Revision Commission shall incorporate the same in the Code.

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35 SECTION 11. SEVERABILITY. If any provision of this act or the application  
36 thereof to any person or circumstance is held invalid, such invalidity shall

1 not affect other provisions or applications of the act which can be given  
2 effect without the invalid provision or application, and to this end the  
3 provisions of this act are declared to be severable except that provided in  
4 Section 6 (c) herein.

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6 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict with  
7 this act are hereby repealed.

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9 SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the  
10 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
11 prohibits the appropriation of funds for more than a two (2) year period; that  
12 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
13 the agency for which the appropriations in this Act are provided, and that in  
14 the event of an extension of the Regular Session, the delay in the effective  
15 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
16 proper administration and provision of essential governmental programs.  
17 Therefore, an emergency is hereby declared to exist and this Act being  
18 necessary for the immediate preservation of the public peace, health and  
19 safety shall be in full force and effect from and after July 1, 1999.

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21 /s/ Joint Budget Committee  
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