

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 1615

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 NORTHWEST TECHNICAL
11 INSTITUTE FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2001; AND FOR OTHER PURPOSES. "
13

14 **Subtitle**

15 "AN ACT FOR THE NORTHWEST 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 Northwest
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.
32

		Maximum Annual		
		Maximum	Salary Rate	
Item Class		No. of	Fiscal Years	
No.	Code Title	Employees	1999-2000	2000-2001

KCA056

1	(1)	9752	VO TECH TECHNICIAN II	10	\$55,729	\$57,289
2	(2)	9753	VO TECH TECHNICIAN I	3	\$50,713	\$52,132
3	(3)	9046	WORKFORCE ED FACULTY	25	\$47,143	\$48,463
4	(4)	9047	WORKFORCE ED PART TIME FACULTY	80	\$16,500	\$16,500
5	(5)	247Z	ED VO TECH SCHOOL DIRECTOR	1		GRADE 25
6	(6)	482Z	ED VO TECH SCHOOL ASST DIR	3		GRADE 23
7	(7)	D036	SR PROGRAMMER/ANALYST	2		GRADE 21
8	(8)	M100	VOCATIONAL COUNSELOR	2		GRADE 21
9	(9)	G028	BLDG PLANT MAINTENANCE SUPV II	1		GRADE 18
10	(10)	R010	ADMINISTRATIVE ASSISTANT II	1		GRADE 17
11	(11)	A108	ACCOUNTING TECHNICIAN II	3		GRADE 15
12	(12)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2		GRADE 14
13	(13)	K153	SECRETARY II	6		GRADE 13
14	(14)	G109	BLDG/EQUIP MAINT REPAIRMAN II	<u>3</u>		GRADE 08
15			MAX. NO. OF EMPLOYEES	142		

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

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25 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the
 26 Northwest Technical Institute, to be payable from the Northwest Technical
 27 Institute Fund Account, for personal services and operating expenses of the
 28 Northwest Technical Institute - State for the biennial period ending June 30,
 29 2001, the 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	\$ 1,984,387	\$ 2,039,577
34	(02)	EXTRA HELP	78,862	78,862
35	(03)	PERSONAL SERV MATCHING	579,110	594,563
36	(04)	OVERTIME	5,000	5,000

1	(05) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	477,998	477,998
3	(B) CONF. & TRAVEL	9,000	9,000
4	(C) PROF. FEES	0	0
5	(D) CAP. OUTLAY	0	0
6	(E) DATA PROC.	0	0
7	(06) CONTINGENCY	<u>285,902</u>	<u>285,902</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,420,259</u>	<u>\$ 3,490,902</u>

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10 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 11 Northwest Technical Institute, to be payable from cash funds as defined by
 12 Arkansas Code 19-4-801 of the Northwest Technical Institute, for personal
 13 services and operating expenses of the Northwest Technical Institute - Cash
 14 for the biennial period ending June 30, 2001, the following:

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16	ITEM	FISCAL YEARS	
17	NO.	1999-2000	2000-2001
18	(01) REGULAR SALARIES	\$ 230,713	\$ 237,171
19	(02) EXTRA HELP	525,000	525,000
20	(03) PERSONAL SERV MATCHING	101,844	103,122
21	(04) MAINT. & GEN. OPERATION		
22	(A) OPER. EXPENSE	303,500	303,500
23	(B) CONF. & TRAVEL	30,000	30,000
24	(C) PROF. FEES	150,000	150,000
25	(D) CAP. OUTLAY	200,000	200,000
26	(E) DATA PROC.	0	0
27	(05) RESALE	250,000	250,000
28	(06) CONTINGENCY	500,000	500,000
29	(07) DEBT SERVICE	102,000	102,000
30	(08) CAPITAL IMPROVEMENTS	<u>200,000</u>	<u>200,000</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,593,057</u>	<u>\$ 2,600,793</u>

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33 SECTION 5. EXTRA HELP - CASH. There is hereby authorized, for the
 34 Northwest Technical Institute - Cash for the 1999-2001 biennium, the following
 35 maximum number of part-time or temporary employees, to be known as "Extra
 36 Help", payable from funds appropriated herein for such purposes: fifty nine

1 (59) temporary or part-time employees, when needed, at rates of pay not to
 2 exceed those provided in the Uni form Classi fication and Compensation Act, or
 3 its successor, or this act for the appropriate classi fication.

4
 5 SECTION 6. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 6 Northwest Technical Institute, to be payable from the federal funds as
 7 designated by the Chief Fiscal Officer of the State, for personal services and
 8 operating expenses of the Northwest Technical Institute - Federal for the
 9 bienni al period ending June 30, 2001, the following:

11 ITEM	12 FISCAL YEARS	
	1999-2000	2000-2001
13 (01) REGULAR SALARIES	\$ 117,021	\$ 120,296
14 (02) EXTRA HELP	20,000	20,000
15 (03) PERSONAL SERV MATCHING	34,314	34,961
16 (04) MAINT. & GEN. OPERATION		
17 (A) OPER. EXPENSE	43,205	43,205
18 (B) CONF. & TRAVEL	3,000	3,000
19 (C) PROF. FEES	0	0
20 (D) CAP. OUTLAY	0	0
21 (E) DATA PROC.	0	0
22 TOTAL AMOUNT APPROPRIATED	<u>\$ 217,540</u>	<u>\$ 221,462</u>

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 24 SECTION 7. EXTRA HELP - FEDERAL. There is hereby authorized, for the
 25 Northwest Technical Institute - Federal for the 1999-2001 biennium, the
 26 following maximum number of part-time or temporary employees, to be known as
 27 "Extra Help", payable from funds appropriated herein for such purposes: two
 28 (2) temporary or part-time employees, when needed, at rates of pay not to
 29 exceed those provided in the Uni form Classi fication and Compensation Act, or
 30 its successor, or this act for the appropriate classi fication.

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 32 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 33 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 34 LANGUAGE- CONTINGENCY. (a) To address needs emerging from the restructuring of
 35 the Technical Institutes, Northwest Technical Institute shall establish and
 36 maintain for the 1999-2001 biennium a pool of four (4) unclassified positions

1 and three (3) classified positions, payable from funds appropriated for
2 Northwest Technical Institute. These positions are to be used by Northwest
3 Technical Institute in the event that the number and level of positions
4 available to address the needs emerging from business and industry driven
5 program expansions exceeds the number of positions regularly authorized for
6 Northwest Technical Institute.

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

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

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34 SECTION 9. CONTINGENCY APPROPRIATION. There is hereby appropriated to the
35 Northwest Technical Institute to be payable from the Northwest Technical
36 Institute's accounts for any program, as designated by the Chief Fiscal

1 Officer of the State, for salary and matching.

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

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

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

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

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

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

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

15
16 /s/ Joint Budget Committee
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