

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 1617

5 By: Joint Budget Committee  
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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 FOREST ECHOES TECHNICAL  
11 INSTITUTE FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 2001; AND FOR OTHER PURPOSES. "  
13

**Subtitle**

14 "AN ACT FOR THE FOREST ECHOES TECHNICAL  
15 INSTITUTE APPROPRIATION FOR THE 1999-2001  
16 BIENNIUM. "  
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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 Forest  
23 Echoes 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

\*KCA049\*

No.	Code	Title	Employees	1999-2000	2000-2001
(1)	9752	VO TECH TECHNICIAN II	8	\$55,729	\$57,289
(2)	9046	FACULTY	8	\$47,143	\$48,463
(3)	9047	WORKFORCE ED PART TIME FACULTY	65	\$16,500	\$16,500
(4)	247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
(5)	482Z	ED VO TECH SCHOOL ASST DIR	2	GRADE 23	
(6)	M100	VOCATIONAL COUNSELOR	1	GRADE 21	
(7)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
(8)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15	
(9)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
(10)	K153	SECRETARY II	1	GRADE 13	
(11)	G109	BLDG/EQUIP MAINT REPAIRMAN II	1	GRADE 08	
(12)	G035	CUSTODIAL WRKR II	1	GRADE 04	
(13)	T061	WATCHMAN	1	GRADE 03	
		MAX. NO. OF EMPLOYEES	92		

SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the Forest Echoes 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: *nine (9)* 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 Forest Echoes Technical Institute, to be payable from the Forest Echoes Technical Institute Fund Account, for personal services and operating expenses of the Forest Echoes Technical Institute - State for the biennial period ending June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 878,001	\$ 902,556
(02) EXTRA HELP	37,892	37,892
(03) PERSONAL SERV MATCHING	247,291	253,920
(04) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	167,724	167,724
2	(B) CONF. & TRAVEL	2,400	2,400
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	0	0
5	(E) DATA PROC.	0	0
6	(05) CONTINGENCY	<u>205,389</u>	<u>205,389</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,538,697</u>	<u>\$ 1,569,881</u>

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

10 Forest Echoes Technical Institute, to be payable from cash funds as defined by

11 Arkansas Code 19-4-801 of the Forest Echoes Technical Institute, for personal

12 services and operating expenses of the Forest Echoes Technical Institute -

13 Cash for the biennial period ending June 30, 2001, the following:

15	ITEM	FISCAL YEARS	
16	<u>NO.</u>	1999-2000	2000-2001
17	(01) REGULAR SALARIES	\$ 315,896	\$ 324,737
18	(02) EXTRA HELP	289,608	297,693
19	(03) PERSONAL SERV MATCHING	107,016	109,379
20	(04) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	185,000	190,500
22	(B) CONF. & TRAVEL	20,000	20,000
23	(C) PROF. FEES	22,600	22,600
24	(D) CAP. OUTLAY	100,000	110,000
25	(E) DATA PROC.	0	0
26	(05) RESALE	75,000	75,000
27	(06) CONTINGENCY	250,000	250,000
28	(07) DEBT SERVICE	38,000	38,000
29	(08) DEFERRED MAINTENANCE	<u>200,000</u>	<u>200,000</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,603,120</u>	<u>\$ 1,637,909</u>

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32 SECTION 5. EXTRA HELP - CASH. There is hereby authorized, for the Forest

33 Echoes Technical Institute - Cash for the 1999-2001 biennium, the following

34 maximum number of part-time or temporary employees, to be known as "Extra

35 Help", payable from funds appropriated herein for such purposes: twenty five

36 (25) temporary or part-time employees, when needed, at rates of pay not to

1 exceed those provided in the Uniform Classification and Compensation Act, or  
2 its successor, or this act for the appropriate classification.

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

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

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26 (c) Determining the number of personnel to be employed by a state agency is  
27 the prerogative of the General Assembly and is usually accomplished by  
28 delineating the maximum number of personnel by identifying job titles and the  
29 maximum grade or salary attached to those titles. The General Assembly has  
30 determined that Forest Echoes Technical Institute could be operated more  
31 efficiently if some flexibility is given to that agency. That flexibility is  
32 being accomplished by providing growth pools in subsection (a) of this section  
33 and since the General Assembly has granted the agency broad powers under the  
34 growth pool concept, it is both necessary and appropriate that the General  
35 Assembly maintain oversight of the utilization of the growth pool by requiring  
36 prior approval of the Legislative Council in the utilization of the growth

1 pool. Therefore, the requirement of approval by the Legislative Council is  
2 not a severable part of this section. If the requirement of approval by the  
3 Legislative Council is ruled unconstitutional by a court jurisdiction, this  
4 entire section is void.

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

ITEM	FISCAL YEARS	
	1999-00	2000-01
NO.		
(01) Contingency	<u>\$250,537</u>	<u>\$250,537</u>

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

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

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

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SECTION 11. SEVERABILITY. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable except that provided in Section 6 (c) herein.

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

SECTION 13. 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*