

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: S3/9/99
A Bill

SENATE BILL 470

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

Subtitle

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

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the Foothills
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 |

KCA048

| | | | | | | |
|----|------|------|------------------------------------|----------|----------|----------|
| 1 | (1) | 9752 | VO TECH TECHNICIAN II | 1 | \$55,729 | \$57,289 |
| 2 | (2) | 9753 | VO TECH TECHNICIAN I | 1 | \$50,713 | \$52,132 |
| 3 | (3) | 9046 | WORKFORCE ED FACULTY | 41 | \$47,143 | \$48,463 |
| 4 | (4) | 9047 | WORKFORCE ED PART TIME FACULTY | 60 | \$16,500 | \$16,500 |
| 5 | (5) | 247Z | ED VO TECH SCHOOL DIRECTOR | 1 | | GRADE 25 |
| 6 | (6) | 482Z | ED VO TECH SCHOOL ASST DIR | 2 | | GRADE 23 |
| 7 | (7) | M100 | VOCATIONAL COUNSELOR | 1 | | GRADE 21 |
| 8 | (8) | G028 | BLDG PLANT MAINTENANCE SUPV II | 1 | | GRADE 18 |
| 9 | (9) | N328 | INFORMATION OFFICER II | 1 | | GRADE 18 |
| 10 | (10) | D128 | P C SUPPORT SPECIALIST | 1 | | GRADE 18 |
| 11 | (11) | R010 | ADMINISTRATIVE ASSISTANT II | 1 | | GRADE 17 |
| 12 | (12) | A108 | ACCOUNTING TECHNICIAN II | 1 | | GRADE 15 |
| 13 | (13) | K041 | EXECUTIVE SECY/ADMINISTRATIVE SECY | 1 | | GRADE 14 |
| 14 | (14) | K153 | SECRETARY II | 4 | | GRADE 13 |
| 15 | (15) | K089 | PERSONNEL ASSISTANT | 1 | | GRADE 12 |
| 16 | (16) | K155 | SECRETARY I | 2 | | GRADE 11 |
| 17 | (17) | G177 | MAINTENANCE WORKER SUPERVISOR | 1 | | GRADE 07 |
| 18 | (18) | T061 | WATCHMAN | <u>1</u> | | GRADE 03 |
| 19 | | | MAX. NO. OF EMPLOYEES | 122 | | |

20

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

28

29 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the
 30 Foothills Technical Institute, to be payable from the Foothills Technical
 31 Institute Fund Account, for personal services and operating expenses of the
 32 Foothills Technical Institute - State for the biennial period ending June 30,
 33 2001, the following:

34

| | | | |
|----|------------|------------------|------------------|
| 35 | ITEM | FISCAL YEARS | |
| 36 | <u>NO.</u> | <u>1999-2000</u> | <u>2000-2001</u> |

| | | | | | | |
|----|------|---------------------------|----|------------------|----|------------------|
| 1 | (01) | REGULAR SALARIES | \$ | 1,962,866 | \$ | 2,017,810 |
| 2 | (02) | EXTRA HELP | | 79,652 | | 79,652 |
| 3 | (03) | PERSONAL SERV MATCHING | | 583,486 | | 598,871 |
| 4 | (04) | OVERTIME | | 41,363 | | 41,363 |
| 5 | (05) | MAINT. & GEN. OPERATION | | | | |
| 6 | (A) | OPER. EXPENSE | | 761,648 | | 761,648 |
| 7 | (B) | CONF. & TRAVEL | | 13,532 | | 13,532 |
| 8 | (C) | PROF. FEES | | 0 | | 0 |
| 9 | (D) | CAP. OUTLAY | | 0 | | 0 |
| 10 | (E) | DATA PROC. | | 0 | | 0 |
| 11 | (06) | CONTINGENCY | | <u>252,460</u> | | <u>252,460</u> |
| 12 | | TOTAL AMOUNT APPROPRIATED | \$ | <u>3,695,007</u> | \$ | <u>3,765,336</u> |

13

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

19

| 20 | ITEM | FISCAL YEARS | |
|----|------------------------------|-------------------|-------------------|
| 21 | <u>NO.</u> | <u>1999-2000</u> | <u>2000-2001</u> |
| 22 | (01) REGULAR SALARIES | \$ 258,581 | \$ 265,817 |
| 23 | (02) EXTRA HELP | 41,200 | 41,200 |
| 24 | (03) PERSONAL SERV MATCHING | 70,260 | 71,688 |
| 25 | (04) MAINT. & GEN. OPERATION | | |
| 26 | (A) OPER. EXPENSE | 84,821 | 84,821 |
| 27 | (B) CONF. & TRAVEL | 32,000 | 32,000 |
| 28 | (C) PROF. FEES | 26,600 | 26,600 |
| 29 | (D) CAP. OUTLAY | 50,000 | 50,000 |
| 30 | (E) DATA PROC. | 0 | 0 |
| 31 | (05) RESALE | 171,200 | 171,200 |
| 32 | (06) DEBT SERVICE | <u>54,000</u> | <u>54,000</u> |
| 33 | TOTAL AMOUNT APPROPRIATED | <u>\$ 788,662</u> | <u>\$ 797,326</u> |

34

35 SECTION 5. EXTRA HELP - CASH. There is hereby authorized, for the
 36 Foothills Technical Institute - Cash for the 1999-2001 biennium, the following

1 maximum number of part-time or temporary employees, to be known as "Extra
 2 Help", payable from funds appropriated herein for such purposes: twenty (20)
 3 temporary or part-time employees, when needed, at rates of pay not to exceed
 4 those provided in the Uni form Classi fication and Compensation Act, or its
 5 successor, or this act for the appropriate classi fication.

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

| 13 ITEM | 14 FISCAL YEARS | |
|---------------------------------|-------------------|-------------------|
| | 1999-2000 | 2000-2001 |
| 15 (01) REGULAR SALARIES | \$ 207,100 | \$ 212,898 |
| 16 (02) EXTRA HELP | 13,200 | 13,200 |
| 17 (03) PERSONAL SERV MATCHING | 57,164 | 58,308 |
| 18 (04) MAINT. & GEN. OPERATION | | |
| 19 (A) OPER. EXPENSE | 45,078 | 45,078 |
| 20 (B) CONF. & TRAVEL | 2,220 | 2,220 |
| 21 (C) PROF. FEES | 0 | 0 |
| 22 (D) CAP. OUTLAY | 0 | 0 |
| 23 (E) DATA PROC. | 0 | 0 |
| 24 TOTAL AMOUNT APPROPRIATED | <u>\$ 324,762</u> | <u>\$ 331,704</u> |

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

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

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

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

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

35
36 SECTION 9. CONTINGENCY APPROPRIATION. There is hereby appropriated to the

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

4

| 5 ITEM | FISCAL YEARS | |
|--------------------|------------------|------------------|
| 6 <u>NO.</u> | 1999-00 | 2000-01 |
| 7 (01) Contingency | <u>\$501,074</u> | <u>\$501,074</u> |

8

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

18

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

27

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

31

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

1 Section 8 (c) herein.

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

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

17
18 /s/ Russ