

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 479

5 By: Joint Budget Committee
6
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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 DELTA TECHNICAL
11 INSTITUTE FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2001; AND FOR OTHER PURPOSES. "

Subtitle

15 "AN ACT FOR THE DELTA TECHNICAL
16 INSTITUTE APPROPRIATION FOR THE 1999-
17 2001 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 Delta
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

KCA047

1	(1)	9046	WORKFORCE ED FACULTY	27	\$47,143	\$48,463
2	(2)	9047	WORKFORCE ED PART TIME FACULTY	65	\$16,500	\$16,500
3	(3)	247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
4	(4)	482Z	ED VO TECH SCHOOL ASST DIR	4	GRADE 23	
5	(5)	A111	ACCOUNTANT	1	GRADE 18	
6	(6)	G028	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18	
7	(7)	R010	ADMINISTRATIVE ASSISTANT II	3	GRADE 17	
8	(8)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15	
9	(9)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
10	(10)	K014	LIBRARY ACADEMIC TECH III	1	GRADE 14	
11	(11)	K153	SECRETARY II	3	GRADE 13	
12	(12)	K155	SECRETARY I	1	GRADE 11	
13	(13)	G177	MAINTENANCE WORKER SUPERVISOR	2	GRADE 07	
14	(14)	T061	WATCHMAN	<u>1</u>	GRADE 03	
15			MAX. NO. OF EMPLOYEES	112		

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17 SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the Delta
 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: ten (10) temporary
 21 or part-time employees, when needed, at rates of pay not to exceed those
 22 provided in the Uniform Classification and Compensation Act, or its successor,
 23 or this act for the appropriate classification.

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25 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the
 26 Delta Technical Institute, to be payable from the Delta Technical Institute
 27 Fund Account, for personal services and operating expenses of the Delta
 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	\$ 1,607,178	\$ 1,652,646
34	(02)	EXTRA HELP	56,500	56,500
35	(03)	PERSONAL SERV MATCHING	499,103	512,744
36	(04)	MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	440,431	440,431
2	(B) CONF. & TRAVEL	1,600	1,600
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	0	0
5	(E) DATA PROC.	0	0
6	(05) CONTINGENCY	<u>253,803</u>	<u>253,803</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,858,615</u>	<u>\$ 2,917,724</u>

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

15	ITEM	FISCAL YEARS	
16	<u>NO.</u>	<u>1999-2000</u>	<u>2000-2001</u>
17	(01) REGULAR SALARIES	\$ 50,713	\$ 52,132
18	(02) EXTRA HELP	150,000	150,000
19	(03) PERSONAL SERV MATCHING	25,344	25,641
20	(04) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	175,000	175,000
22	(B) CONF. & TRAVEL	25,129	25,129
23	(C) PROF. FEES	98,000	98,000
24	(D) CAP. OUTLAY	125,000	125,000
25	(E) DATA PROC.	0	0
26	(05) RESALE	125,000	125,000
27	(06) CAPITAL IMPROVEMENTS	<u>200,000</u>	<u>200,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 974,186</u>	<u>\$ 975,902</u>

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 30 SECTION 5. EXTRA HELP - CASH. There is hereby authorized, for the Delta
 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: two (2) temporary
 34 or part-time employees, when needed, at rates of pay not to exceed those
 35 provided in the Uniform Classification and Compensation Act, or its successor,
 36 or this act for the appropriate classification.

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

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) EXTRA HELP	\$ 23,700	\$ 23,700
(02) PERSONAL SERV MATCHING	1,813	1,813
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	92,771	92,771
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 118,284</u>	<u>\$ 118,284</u>

SECTION 7. EXTRA HELP - FEDERAL. There is hereby authorized, for the Delta Technical Institute - Federal 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: two (2) 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 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL LANGUAGE- CONTINGENCY. (a) To address needs emerging from the restructuring of the Technical Institutes, Delta Technical Institute shall establish and maintain for the 1999-2001 biennium a pool of four (4) unclassified positions and three (3) classified positions, payable from funds appropriated for Delta Technical Institute. These positions are to be used by Delta Technical Institute in the event that the number and level of positions available to address the needs emerging from business and industry driven program

1 expansions exceeds the number of positions regularly authorized for Delta
2 Technical Institute.

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

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

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29 SECTION 9. CONTINGENCY APPROPRIATION. There is hereby appropriated to the
30 Delta Technical Institute to be payable from the Delta Technical Institute's
31 accounts for any program, as designated by the Chief Fiscal Officer of the
32 State, for salary and matching.

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

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

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

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

SECTION 13. 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 for that provided in Section 8 (c) herein.

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

1 prohibits the appropriation of funds for more than a two (2) year period; that
2 the effectiveness of this Act on July 1, 1999 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the Regular Session, the delay in the effective
5 date of this Act beyond July 1, 1999 could work irreparable harm upon the
6 proper administration and provision of essential governmental programs.
7 Therefore, an emergency is hereby declared to exist and this Act being
8 necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 1999.

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11 /s/ Russ
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