

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1862

4
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 CROWLEY' S RIDGE
11 TECHNICAL INSTITUTE FOR THE BIENNI AL PERI OD ENDING
12 JUNE 30, 2003; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE CROWLEY' S RIDGE TECHNICAL
16 INSTITUTE APPROPRIATION FOR THE 2001-2003
17 BI ENNI UM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the Crowley's
24 Ridge Technical Institute for the 2001-2003 bienni um, the following maximum
25 number of regular employees whose salaries shall be governed by the provisions
26 of the Uni form Cl assi fi ca tion and Com pen sa tion Act (Arkansas Code §§21-5-201
27 et seq.), or its successor, and all laws amendatory thereto. Provided,
28 however, that any position to which a speci fic maximum annual salary is set
29 out herein in dollars, shall be exempt from the provisions of said Uni form
30 Cl assi fi ca tion and Com pen sa tion Act. All persons occupying posi tions
31 authorized herein are hereby governed by the provisions of the Regular
32 Sal aries Pro ce dures and Res tri c tions Act (Arkansas Code §21-5-101), or its
33 successor.
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Maximum Annual
Maximum Salary Rate

Item	Class		No. of Employees	Fiscal Years	
	No.	Title		2001-2002	2002-2003
3	(1)	9752 VO TECH TECHNICIAN II	4	\$58,778	\$60,306
4	(2)	9046 WORKFORCE ED FACULTY	30	\$49,723	\$51,015
5	(3)	9047 WORKFORCE ED PART TIME FACULTY	9	\$16,929	\$17,369
6	(4)	247Z ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
7	(5)	482Z ED VO TECH SCHOOL ASST DIR	3	GRADE 23	
8	(6)	M100 VOCATIONAL COUNSELOR	1	GRADE 21	
9	(7)	E094 DAY CARE TEACHER SUPERVISOR	1	GRADE 19	
10	(8)	G028 BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18	
11	(9)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
12	(10)	A108 ACCOUNTING TECHNICIAN II	2	GRADE 15	
13	(11)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
14	(12)	K153 SECRETARY II	6	GRADE 13	
15	(13)	G109 BLDG/EQUIP MAINT REPAIRMAN II	3	GRADE 08	
16	(14)	T061 WATCHMAN	<u>1</u>	GRADE 03	
17		MAX. NO. OF EMPLOYEES	64		

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19 SECTION 2. APPROPRIATION - STATE. There is hereby appropriated, to the
 20 Crowley's Ridge Technical Institute, to be payable from the Crowley's Ridge
 21 Technical Institute Fund, for personal services and operating expenses of the
 22 Crowley's Ridge Technical Institute - State for the biennial period ending
 23 June 30, 2003, the following:

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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
27 (01) REGULAR SALARIES	\$ 2,276,848	\$ 2,336,024
28 (02) EXTRA HELP	113,400	113,400
29 (03) PERSONAL SERV MATCHING	742,518	757,128
30 (04) MAINT. & GEN. OPERATION		
31 (A) OPER. EXPENSE	497,544	522,421
32 (B) CONF. & TRAVEL	8,423	8,423
33 (C) PROF. FEES	0	0
34 (D) CAP. OUTLAY	5,000	5,000
35 (E) DATA PROC.	<u>0</u>	<u>0</u>
36 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,643,733</u>	<u>\$ 3,742,396</u>

SECTION 3. APPROPRIATIONS - CASH. There is hereby appropriated, to the Crowley's Ridge Technical Institute, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Crowley's Ridge Technical Institute, for personal services and operating expenses of the Crowley's Ridge Technical Institute - Cash for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 66,652	\$ 68,384
(02) EXTRA HELP	158,071	162,631
(03) PERSONAL SERV MATCHING	34,470	35,247
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	250,000	250,000
(B) CONF. & TRAVEL	27,000	27,000
(C) PROF. FEES	25,000	25,000
(D) CAP. OUTLAY	300,000	300,000
(E) DATA PROC.	0	0
(05) RESALE	160,000	160,000
(06) DEBT SERVICE	<u>1,000</u>	<u>1,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,022,193</u>	<u>\$ 1,029,262</u>

SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the Crowley's Ridge 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 Crowley's Ridge Technical Institute - Federal for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 133,304	\$ 136,768
(02) EXTRA HELP	37,883	42,003
(03) PERSONAL SERV MATCHING	47,652	48,823
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	28,539	28,539
(B) CONF. & TRAVEL	1,500	1,500

1	(C) PROF. FEES	0	0
2	(D) CAP. OUTLAY	25,000	25,000
3	(E) DATA PROC.	<u>0</u>	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 273,878</u>	<u>\$ 282,633</u>

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6 SECTION 5. EXTRA HELP. There is hereby authorized, for the Crowley's Ridge
7 Technical Institute for the 2001-2003 biennium, the following maximum number
8 of part-time or temporary employees, to be known as "Extra Help", payable from
9 funds appropriated herein for such purposes: seventy six (76) temporary or
10 part-time employees, when needed, at rates of pay not to exceed those provided
11 in the Uniform Classification and Compensation Act, or its successor, or this
12 act for the appropriate classification.

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14 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
15 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONTINGENCY.

16 (a) To address needs emerging from the restructuring of the Technical
17 Institutes, Crowley's Ridge Technical Institute shall establish and maintain
18 for the ~~1999-2001~~ 2001-2003 biennium a pool of four (4) unclassified positions
19 and three (3) classified positions, payable from funds appropriated for
20 Crowley's Ridge Technical Institute. These positions are to be used by
21 Crowley's Ridge Technical Institute in the event that the number and level of
22 positions available to address the needs emerging from business and industry
23 driven program expansions exceeds the number of positions regularly authorized
24 for Crowley's Ridge Technical Institute.

25
26 (b) Crowley's Ridge Technical Institute shall provide justification to the
27 Department of Finance and Administration's Office of Personnel Management
28 (OPM) for the need to allocate titles from this position pool. No
29 classifications will be assigned to the pool until such time as specific
30 positions are requested and justified by Crowley's Ridge Technical Institute,
31 recommended by OPM and approved by the Legislative Council. Crowley's Ridge
32 Technical Institute may transfer positions from this pool to any pay schedule
33 the agency currently maintains or any pay schedule the agency receives during
34 the ~~1999-2001~~ 2001-2003 biennium.

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36 (c) Determining the number of personnel to be employed by a state agency is

1 the prerogative of the General Assembly and is usually accomplished by
2 delineating the maximum number of personnel by identifying job titles and the
3 maximum grade or salary attached to those titles. The General Assembly has
4 determined that Crowley's Ridge Technical Institute could be operated more
5 efficiently if some flexibility is given to that agency. That flexibility is
6 being accomplished by providing growth pools in subsection (a) of this section
7 and since the General Assembly has granted the agency broad powers under the
8 growth pool concept, it is both necessary and appropriate that the General
9 Assembly maintain oversight of the utilization of the growth pool by requiring
10 prior approval of the Legislative Council in the utilization of the growth
11 pool. Therefore, the requirement of approval by the Legislative Council is
12 not a severable part of this section. If the requirement of approval by the
13 Legislative Council is ruled unconstitutional by a court jurisdiction, this
14 entire section is void.

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16 The provisions of this section shall be in effect only from July 1, 2001
17 through June 30, 2003.

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19 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
20 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME
21 FACULTY. The Technical Institutes are not required to remit a state
22 contribution to the state employee insurance trust fund on Workforce Education
23 Part-time Faculty Positions unless the position will be utilized for more than
24 1,000 hours a year.

25 The provisions of this section shall be in effect only from July 1, 2001
26 through June 30, 2003.

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28 SECTION 8. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
29 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
30 appropriations as provided in this Act, the agency disbursing officer shall
31 monitor the level of fund balances in relation to expenditures on a monthly
32 basis. If any proposed expenditures would cause a fund balance to decline to
33 less than fifty percent (50%) of the balance available on July 1, 2001, the
34 disbursing officer shall immediately notify the executive head of the agency.
35 Prior to any obligations being made under these circumstances, the agency head
36 shall file written documentation with the Chief Fiscal Officer of the State

1 requesting approval of the expenditures. Such documentation shall provide
2 sufficient financial data to justify the expenditures and shall include the
3 following:

4 1) a plan that clearly indicates the specific fiscal impact of such
5 expenditures on the fund balance.

6 2) information clearly indicating and explaining what programs would be cut or
7 any other measures to be taken by the agency to restore the fund balance.

8 3) the extent to which any of the planned expenditures are for one-time costs
9 or one-time purchase of capitalized items.

10 4) a statement certifying that the expenditure of fund balances will not
11 jeopardize the financial health of the agency, nor result in a permanent
12 depletion of the fund balance.

13 (B) The Chief Fiscal Officer of the State shall review the request and
14 approve or disapprove all or any part of the request , after having sought
15 prior review by the Legislative Council.

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

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27 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
28 that any funds disbursed under the authority of the appropriations contained
29 in this act shall be in compliance with the stated reasons for which this act
30 was adopted, as evidenced by the Agency Requests, Executive Recommendations
31 and Legislative Recommendations contained in the budget manuals prepared by
32 the Department of Finance and Administration, letters, or summarized oral
33 testimony in the official minutes of the Arkansas Legislative Council or Joint
34 Budget Committee which relate to its passage and adoption.

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36 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the
2 appropriation of funds for more than a two (2) year period; that the
3 effectiveness of this Act on July 1, 2001 is essential to the operation of the
4 agency for which the appropriations in this Act are provided, and that in the
5 event of an extension of the Regular Session, the delay in the effective date
6 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
7 administration and provision of essential governmental programs. Therefore, an
8 emergency is hereby declared to exist and this Act being necessary for the
9 immediate preservation of the public peace, health and safety shall be in full
10 force and effect from and after July 1, 2001.

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