

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

As Engrossed: H3/2/01
A Bill

HOUSE BILL 1864

4
5 By: Joint Budget Committee
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8 **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 2003; AND FOR OTHER PURPOSES.
13

14
15 **Subtitle**

16 AN ACT FOR THE FOREST ECHOES TECHNICAL
17 INSTITUTE APPROPRIATION FOR THE 2001-2003
18 BIENNIAL PERIOD.
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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 Forest
24 Echoes Technical Institute for the 2001-2003 biennium, the following maximum
25 number of regular employees whose salaries shall be governed by the provisions
26 of the Uniform Classification and Compensation 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 specific maximum annual salary is set
29 out herein in dollars, shall be exempt from the provisions of said Uniform
30 Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
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Maximum Annual
Maximum Salary Rate

Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2001-2002	2002-2003
(1)	9499	WORKFORCE ED TI CHIEF FISCAL OFFICER	1	\$72,999	\$76,649
(2)		CHIEF ACADEMIC OFFICER	1	\$72,999	\$76,649
(3)	9752	VO TECH TECHNICIAN II	8	\$58,778	\$60,306
(4)	9046	WORKFORCE ED FACULTY	8	\$49,723	\$51,015
(5)	9047	WORKFORCE ED PART TIME FACULTY	3	\$16,929	\$17,369
(6)	247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
(7)	M100	VOCATIONAL COUNSELOR	1	GRADE 21	
(8)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
(9)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15	
(10)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
(11)	K153	SECRETARY II	1	GRADE 13	
(12)	G109	BLDG/EQUIP MAINT REPAIRMAN II	1	GRADE 08	
(13)	G035	CUSTODIAL WRKR II	1	GRADE 04	
(14)	T061	WATCHMAN	1	GRADE 03	
		MAX. NO. OF EMPLOYEES	30		

SECTION 2. APPROPRIATION - STATE. There is hereby appropriated, to the Forest Echoes Technical Institute, to be payable from the Forest Echoes Technical Institute Fund, for personal services and operating expenses of the Forest Echoes Technical Institute - State for the biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 1,038,109	\$ 1,065,092
(02) EXTRA HELP	44,341	53,461
(03) PERSONAL SERV MATCHING	283,872	290,772
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	90,208	90,422
(B) CONF. & TRAVEL	2,400	2,400
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	268,803	268,803
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	\$ 1,727,733	\$ 1,770,950

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

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 249,537	\$ 256,023
(02) EXTRA HELP	196,771	198,331
(03) PERSONAL SERV MATCHING	84,988	86,382
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	190,500	190,500
(B) CONF. & TRAVEL	20,000	20,000
(C) PROF. FEES	22,600	22,600
(D) CAP. OUTLAY	125,000	125,000
(E) DATA PROC.	0	0
(05) RESALE	100,000	100,000
(06) DEBT SERVICE	48,000	48,000
(07) DEFERRED MAINTENANCE	<u>200,000</u>	<u>200,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,237,396</u>	<u>\$ 1,246,836</u>

SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the Forest Echoes Technical Institute, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services of the Forest Echoes Technical Institute - Federal for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) EXTRA HELP	\$ 20,000	\$ 21,000
(02) PERSONAL SERV MATCHING	<u>1,530</u>	<u>1,607</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 21,530</u>	<u>\$ 22,607</u>

SECTION 5. EXTRA HELP. There is hereby authorized, for the Forest Echoes

1 Technical Institute for the 2001-2003 biennium, the following maximum number
2 of part-time or temporary employees, to be known as "Extra Help", payable from
3 funds appropriated herein for such purposes: sixty seven (67) temporary or
4 part-time employees, when needed, at rates of pay not to exceed those provided
5 in the Uniform Classification and Compensation Act, or its successor, or this
6 act for the appropriate classification.

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

10 (a) To address needs emerging from the restructuring of the Technical
11 Institutes, Forest Echoes Technical Institute shall establish and maintain for
12 the ~~1999-2001~~ 2001-2003 biennium a pool of four (4) unclassified positions and
13 three (3) classified positions, payable from funds appropriated for Forest
14 Echoes Technical Institute. These positions are to be used by Forest Echoes
15 Technical Institute in the event that the number and level of positions
16 available to address the needs emerging from business and industry driven
17 program expansions exceeds the number of positions regularly authorized for
18 Forest Echoes Technical Institute.

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

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30 (c) Determining the number of personnel to be employed by a state agency is
31 the prerogative of the General Assembly and is usually accomplished by
32 delineating the maximum number of personnel by identifying job titles and the
33 maximum grade or salary attached to those titles. The General Assembly has
34 determined that Forest Echoes Technical Institute could be operated more
35 efficiently if some flexibility is given to that agency. That flexibility is
36 being accomplished by providing growth pools in subsection (a) of this section

1 and since the General Assembly has granted the agency broad powers under the
 2 growth pool concept, it is both necessary and appropriate that the General
 3 Assembly maintain oversight of the utilization of the growth pool by requiring
 4 prior approval of the Legislative Council in the utilization of the growth
 5 pool. Therefore, the requirement of approval by the Legislative Council is
 6 not a severable part of this section. If the requirement of approval by the
 7 Legislative Council is ruled unconstitutional by a court jurisdiction, this
 8 entire section is void.

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

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 13 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 14 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME
 15 FACULTY. The Technical Institutes are not required to remit a state
 16 contribution to the state employee insurance trust fund on Workforce Education
 17 Part-time Faculty Positions unless the position will be utilized for more than
 18 1,000 hours a year.

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

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

- 34 1) a plan that clearly indicates the specific fiscal impact of such
- 35 expenditures on the fund balance.
- 36 2) information clearly indicating and explaining what programs would be cut or

1 any other measures to be taken by the agency to restore the fund balance.
2 3) the extent to which any of the planned expenditures are for one-time costs
3 or one-time purchase of capitalized items.
4 4) a statement certifying that the expenditure of fund balances will not
5 jeopardize the financial health of the agency, nor result in a permanent
6 depletion of the fund balance.
7 (B) The Chief Fiscal Officer of the State shall review the request and
8 approve or disapprove all or any part of the request , after having sought
9 prior review by the Legislative Council.

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

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

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30 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General
31 Assembly, that the Constitution of the State of Arkansas prohibits the
32 appropriation of funds for more than a two (2) year period; that the
33 effectiveness of this Act on July 1, 2001 is essential to the operation of the
34 agency for which the appropriations in this Act are provided, and that in the
35 event of an extension of the Regular Session, the delay in the effective date
36 of this Act beyond July 1, 2001 could work irreparable harm upon the proper

1 administration and provision of essential governmental programs. Therefore, an
2 emergency is hereby declared to exist and this Act being necessary for the
3 immediate preservation of the public peace, health and safety shall be in full
4 force and effect from and after July 1, 2001.

5 */s/ Joint Budget Committee*

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