

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  
4

*As Engrossed: H3/22/01*

# A Bill

HOUSE BILL 1901

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 QUAPAW TECHNICAL  
11 INSTITUTE FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 2003; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE QUAPAW TECHNICAL INSTITUTE  
16 APPROPRIATION FOR THE 2001-2003 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 Quapaw  
23 Technical Institute for the 2001-2003 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.  
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		Maximum Annual			
		Maximum	Salary Rate		
Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2001-2002	2002-2003

1	(1)	9752	VO TECH TECHNICIAN II	3	\$58,778	\$60,306
2	(2)	9046	WORKFORCE ED FACULTY	33	\$49,723	\$51,015
3	(3)	9047	WORKFORCE ED PART TIME FACULTY	17	\$16,929	\$17,369
4	(4)	247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
5	(5)	482Z	ED VO TECH SCHOOL ASST DIR	2	GRADE 23	
6	(6)	A008	ACCOUNTING SUPV II	1	GRADE 21	
7	(7)	M100	VOCATIONAL COUNSELOR	1	GRADE 21	
8	(8)	G124	PLANT MAINTENANCE SUPV	1	GRADE 18	
9	(9)	R190	PERSONNEL OFFICER II	1	GRADE 17	
10	(10)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
11	(11)	A108	ACCOUNTING TECHNICIAN II	2	GRADE 15	
12	(12)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
13	(13)	K153	SECRETARY II	2	GRADE 13	
14	(14)	G109	BLDG/EQUIP MAINT REPAIRMAN II	2	GRADE 08	
15	(15)	T061	WATCHMAN	<u>1</u>	GRADE 03	
16			MAX. NO. OF EMPLOYEES	<u>69</u>		

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

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
(01) REGULAR SALARIES	\$ 2,360,055	\$ 2,421,391
(02) EXTRA HELP	45,000	45,000
(03) PERSONAL SERV MATCHING	650,999	663,075
(04) OVERTIME	8,000	8,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	600,563	601,993
(B) CONF. & TRAVEL	10,716	10,716
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,675,333</u>	<u>\$ 3,750,175</u>

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

ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 167,162	\$ 171,506
(02) EXTRA HELP	203,365	202,485
(03) PERSONAL SERV MATCHING	66,523	67,312
(04) OVERTIME	1,200	1,200
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	283,463	283,463
(B) CONF. & TRAVEL	9,000	9,000
(C) PROF. FEES	90,627	90,627
(D) CAP. OUTLAY	60,000	60,000
(E) DATA PROC.	0	0
(06) RESALE	<u>114,100</u>	<u>114,100</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 995,440</u>	<u>\$ 999,693</u>

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22 SECTION 4. EXTRA HELP. There is hereby authorized, for the Quapaw  
 23 Technical Institute for the 2001-2003 biennium, the following maximum number  
 24 of part-time or temporary employees, to be known as "Extra Help", payable from  
 25 funds appropriated herein for such purposes: sixty seven (67) temporary or  
 26 part-time employees, when needed, at rates of pay not to exceed those provided  
 27 in the Uniform Classification and Compensation Act, or its successor, or this  
 28 act for the appropriate classification.

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30 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 31 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONTINGENCY.

32 (a) To address needs emerging from the restructuring of the Technical  
 33 Institutes, Quapaw Technical Institute shall establish and maintain for the  
 34 ~~1999-2001~~ 2001-2003 biennium a pool of four (4) unclassified positions and  
 35 three (3) classified positions, payable from funds appropriated for Quapaw  
 36 Technical Institute. These positions are to be used by Quapaw Technical

1 Institute in the event that the number and level of positions available to  
2 address the needs emerging from business and industry driven program  
3 expansions exceeds the number of positions regularly authorized for Quapaw  
4 Technical Institute.

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6 (b) Quapaw Technical Institute shall provide justification to the Department  
7 of Finance and Administration's Office of Personnel Management (OPM) for the  
8 need to allocate titles from this position pool. No classifications will be  
9 assigned to the pool until such time as specific positions are requested and  
10 justified by Quapaw Technical Institute, recommended by OPM and approved by  
11 the Legislative Council. Quapaw Technical Institute may transfer positions  
12 from this pool to any pay schedule the agency currently maintains or any pay  
13 schedule the agency receives during the ~~1999-2001~~ 2001-2003 biennium.

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

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

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33 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
34 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME  
35 FACULTY. The Technical Institutes are not required to remit a state  
36 contribution to the state employee insurance trust fund on Workforce Education

1 Part-time Faculty Positions unless the position will be utilized for more than  
2 1,000 hours a year.

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

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6 SECTION 7. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
7 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
8 appropriations as provided in this Act, the agency disbursing officer shall  
9 monitor the level of fund balances in relation to expenditures on a monthly  
10 basis. If any proposed expenditures would cause a fund balance to decline to  
11 less than fifty percent (50%) of the balance available on July 1, 2001, the  
12 disbursing officer shall immediately notify the executive head of the agency.  
13 Prior to any obligations being made under these circumstances, the agency head  
14 shall file written documentation with the Chief Fiscal Officer of the State  
15 requesting approval of the expenditures. Such documentation shall provide  
16 sufficient financial data to justify the expenditures and shall include the  
17 following:

- 18 1) a plan that clearly indicates the specific fiscal impact of such  
19 expenditures on the fund balance.  
20 2) information clearly indicating and explaining what programs would be cut or  
21 any other measures to be taken by the agency to restore the fund balance.  
22 3) the extent to which any of the planned expenditures are for one-time costs  
23 or one-time purchase of capitalized items.  
24 4) a statement certifying that the expenditure of fund balances will not  
25 jeopardize the financial health of the agency, nor result in a permanent  
26 depletion of the fund balance.

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

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31 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
32 this act shall be limited to the appropriation for such agency and funds made  
33 available by law for the support of such appropriations; and the restrictions  
34 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
35 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
36 Restrictions Act, or their successors, and other fiscal control laws of this

1 State, where applicable, and regulations promulgated by the Department of  
2 Finance and Administration, as authorized by law, shall be strictly complied  
3 with in disbursement of said funds.

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

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14 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General  
15 Assembly, that the Constitution of the State of Arkansas prohibits the  
16 appropriation of funds for more than a two (2) year period; that the  
17 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
18 agency for which the appropriations in this Act are provided, and that in the  
19 event of an extension of the Regular Session, the delay in the effective date  
20 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
21 administration and provision of essential governmental programs. Therefore, an  
22 emergency is hereby declared to exist and this Act being necessary for the  
23 immediate preservation of the public peace, health and safety shall be in full  
24 force and effect from and after July 1, 2001.

25 */s/ Joint Budget Committee*

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