

**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 1902

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

## Subtitle

14  
15 AN ACT FOR THE NORTHWEST TECHNICAL  
16 INSTITUTE APPROPRIATION FOR THE 2001-2003  
17 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  
24 Northwest Technical Institute for the 2001-2003 biennium, the following  
25 maximum number of regular employees whose salaries shall be governed by the  
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
28 Provided, however, that any position to which a specific maximum annual  
29 salary is set out herein in dollars, shall be exempt from the provisions of  
30 said Uniform Classification and Compensation Act. All persons occupying  
31 positions authorized herein are hereby governed by the provisions of the  
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
33 or its successor.  
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Maximum Annual

Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years 2001-2002	Salary Rate Fiscal Years 2002-2003
4	(1) 9752	VO TECH TECHNICIAN II	10	\$58,778	\$60,306
5	(2) 9753	VO TECH TECHNICIAN I	3	\$53,487	\$54,877
6	(3) 9046	WORKFORCE ED FACULTY	25	\$49,723	\$51,015
7	(4) 9047	WORKFORCE ED PART TIME FACULTY	2	\$16,929	\$17,369
8	(5) 247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
9	(6) 482Z	ED VO TECH SCHOOL ASST DIR	3	GRADE 23	
10	(7) D036	SR PROGRAMMER/ANALYST	2	GRADE 21	
11	(8) M100	VOCATIONAL COUNSELOR	2	GRADE 21	
12	(9) D121	USER SUPPORT ANALYST	1	GRADE 20	
13	(10) R144	PROGRAM COORDINATOR	1	GRADE 20	
14	(11) G028	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18	
15	(12) R032	ASST REGISTRAR	1	GRADE 18	
16	(13) R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
17	(14) R190	PERSONNEL OFFICER II	1	GRADE 17	
18	(15) A108	ACCOUNTING TECHNICIAN II	2	GRADE 15	
19	(16) R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15	
20	(17) A063	PAYROLL OFFICER	1	GRADE 15	
21	(18) K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
22	(19) R041	BOOKSTORE OFFICE MANAGER	1	GRADE 14	
23	(20) E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13	
24	(21) K153	SECRETARY II	4	GRADE 13	
25	(22) G109	BLDG/EQUIP MAINT REPAIRMAN II	4	GRADE 08	
26		MAX. NO. OF EMPLOYEES	70		

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28 SECTION 2. EXTRA HELP. There is hereby authorized, for the Northwest  
 29 Technical Institute for the 2001-2003 biennium, the following maximum number  
 30 of part-time or temporary employees, to be known as "Extra Help", payable  
 31 from funds appropriated herein for such purposes: one hundred seven (107)  
 32 temporary or part-time employees, when needed, at rates of pay not to exceed  
 33 those provided in the Uniform Classification and Compensation Act, or its  
 34 successor, or this act for the appropriate classification.

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36 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the

1 Northwest Technical Institute, to be payable from the Northwest Technical  
 2 Institute Fund, for personal services and operating expenses of the Northwest  
 3 Technical Institute - State for the biennial period ending June 30, 2003, the  
 4 following:

5 ITEM	6 FISCAL YEARS	
	7 NO.	8
	2001-2002	2002-2003
7 (01) REGULAR SALARIES	\$ 2,684,416	\$ 2,754,187
8 (02) EXTRA HELP	187,004	189,816
9 (03) PERSONAL SERV MATCHING	737,068	751,010
10 (04) OVERTIME	5,000	5,000
11 (05) MAINT. & GEN. OPERATION		
12 (A) OPER. EXPENSE	372,683	373,570
13 (B) CONF. & TRAVEL	11,500	11,500
14 (C) PROF. FEES	0	0
15 (D) CAP. OUTLAY	364,324	364,324
16 (E) DATA PROC.	<u>0</u>	<u>0</u>
17 TOTAL AMOUNT APPROPRIATED	<u>\$ 4,361,995</u>	<u>\$ 4,449,407</u>

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

24 ITEM	25 FISCAL YEARS	
	26 NO.	27
	2001-2002	2002-2003
26 (01) REGULAR SALARIES	\$ 109,522	\$ 112,369
27 (02) EXTRA HELP	625,000	627,600
28 (03) PERSONAL SERV MATCHING	65,528	66,034
29 (04) MAINT. & GEN. OPERATION		
30 (A) OPER. EXPENSE	303,500	303,500
31 (B) CONF. & TRAVEL	30,000	30,000
32 (C) PROF. FEES	150,000	150,000
33 (D) CAP. OUTLAY	200,000	200,000
34 (E) DATA PROC.	0	0
35 (05) RESALE	300,000	300,000
36 (06) DEBT SERVICE	<u>102,000</u>	<u>102,000</u>

1 TOTAL AMOUNT APPROPRIATED \$ 1,885,550 \$ 1,891,503

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3 SECTION 5. APPROPRIATION - FEDERAL. There is hereby appropriated, to the  
 4 Northwest Technical Institute, to be payable from the federal funds as  
 5 designated by the Chief Fiscal Officer of the State, for personal services  
 6 and operating expenses of the Northwest Technical Institute - Federal for the  
 7 biennial period ending June 30, 2003, the following:

8 ITEM	FISCAL YEARS	
9 NO.	2001-2002	2002-2003
10 (01) REGULAR SALARIES	\$ 49,723	\$ 51,015
11 (02) EXTRA HELP	15,000	15,000
12 (03) PERSONAL SERV MATCHING	13,913	14,167
13 (04) MAINT. & GEN. OPERATION		
14 (A) OPER. EXPENSE	472	472
15 (B) CONF. & TRAVEL	0	0
16 (C) PROF. FEES	0	0
17 (D) CAP. OUTLAY	0	0
18 (E) DATA PROC.	<u>0</u>	<u>0</u>
19 TOTAL AMOUNT APPROPRIATED	\$ <u>79,108</u>	\$ <u>80,654</u>

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21 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 23 CONTINGENCY. (a) To address needs emerging from the restructuring of the  
 24 Technical Institutes, Northwest Technical Institute shall establish and  
 25 maintain for the ~~1999-2001~~ 2001-2003 biennium a pool of four (4) unclassified  
 26 positions and three (3) classified positions, payable from funds appropriated  
 27 for Northwest Technical Institute. These positions are to be used by  
 28 Northwest Technical Institute in the event that the number and level of  
 29 positions available to address the needs emerging from business and industry  
 30 driven program expansions exceeds the number of positions regularly  
 31 authorized for Northwest Technical Institute.

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33 (b) Northwest Technical Institute shall provide justification to the  
 34 Department of Finance and Administration's Office of Personnel Management  
 35 (OPM) for the need to allocate titles from this position pool. No  
 36 classifications will be assigned to the pool until such time as specific

1 positions are requested and justified by Northwest Technical Institute,  
2 recommended by OPM and approved by the Legislative Council. Northwest  
3 Technical Institute may transfer positions from this pool to any pay schedule  
4 the agency currently maintains or any pay schedule the agency receives during  
5 the ~~1999-2001~~ 2001-2003 biennium.

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

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

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

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

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34 SECTION 8. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
35 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
36 appropriations as provided in this Act, the agency disbursing officer shall

1 monitor the level of fund balances in relation to expenditures on a monthly  
2 basis. If any proposed expenditures would cause a fund balance to decline to  
3 less than fifty percent (50%) of the balance available on July 1, 2001, the  
4 disbursing officer shall immediately notify the executive head of the agency.  
5 Prior to any obligations being made under these circumstances, the agency  
6 head shall file written documentation with the Chief Fiscal Officer of the  
7 State requesting approval of the expenditures. Such documentation shall  
8 provide sufficient financial data to justify the expenditures and shall  
9 include the following:

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

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

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

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33 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly  
34 that any funds disbursed under the authority of the appropriations contained  
35 in this act shall be in compliance with the stated reasons for which this act  
36 was adopted, as evidenced by the Agency Requests, Executive Recommendations

1 and Legislative Recommendations contained in the budget manuals prepared by  
2 the Department of Finance and Administration, letters, or summarized oral  
3 testimony in the official minutes of the Arkansas Legislative Council or  
4 Joint Budget Committee which relate to its passage and adoption.

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6 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General  
7 Assembly, that the Constitution of the State of Arkansas prohibits the  
8 appropriation of funds for more than a two (2) year period; that the  
9 effectiveness of this Act on July 1, 2001 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, 2001 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, 2001.

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