

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 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

HOUSE BILL 1302

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE FOREST  
11 ECHOES TECHNICAL INSTITUTE FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2005; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE FOREST ECHOES TECHNICAL  
17 INSTITUTE APPROPRIATION FOR THE  
18 2003-2005 BIENNIUM.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the Forest  
25 Echoes Technical Institute for the 2003-2005 biennium, the following maximum  
26 number of regular employees whose salaries shall be governed by the  
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
29 Provided, however, that any position to which a specific maximum annual  
30 salary is set out herein in dollars, shall be exempt from the provisions of  
31 said Uniform Classification and Compensation Act. All persons occupying  
32 positions authorized herein are hereby governed by the provisions of the  
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
34 or its successor.  
35

36 Maximum Annual



01292003KCA1517.KCA527

Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years		
				2003-2004	2004-2005	
1	(1)	9284	WORKFORCE ED TI CHIEF ACADEMIC OFFIC	1	\$78,505	\$78,577
2	(2)	9499	WORKFORCE ED TI CHIEF FISCAL OFCR	1	\$76,719	\$78,577
3	(3)	9752	VO TECH TECHNICIAN II	8	\$61,851	\$63,427
4	(4)	9046	WORKFORCE ED FACULTY	8	\$52,384	\$53,780
5	(5)	9047	WORKFORCE ED PART TIME FACULTY	3	\$17,939	\$18,509
6	(6)	247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
7	(7)	M100	VOCATIONAL COUNSELOR	1	GRADE 21	
8	(8)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
9	(9)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15	
10	(10)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
11	(11)	K153	SECRETARY II	1	GRADE 13	
12	(12)	G109	BLDG/EQUIP MAINT REPAIRMAN II	1	GRADE 08	
13	(13)	G035	CUSTODIAL WRKR II	1	GRADE 04	
14	(14)	T061	WATCHMAN	<u>1</u>	GRADE 03	
15	MAX. NO. OF EMPLOYEES			30		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Forest Echoes Technical Institute for the 2003-2005 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: sixty seven (67) 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 3. 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 for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 859,557	\$ 859,557

1	(02) EXTRA HELP	53,461	53,461
2	(03) PERSONAL SERV MATCH	236,250	236,250
3	(04) MAINT. & GEN. OPERATION		
4	(A) OPER. EXPENSE	90,422	90,422
5	(B) CONF. & TRAVEL	2,400	2,400
6	(C) PROF. FEES	0	0
7	(D) CAP. OUTLAY	149,733	149,733
8	(E) DATA PROC.	<u>0</u>	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,391,823</u>	<u>\$ 1,391,823</u>

10

11 SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the  
 12 Forest Echoes Technical Institute, to be payable from the federal funds as  
 13 designated by the Chief Fiscal Officer of the State, for personal services  
 14 and operating expenses of the Forest Echoes Technical Institute for the  
 15 biennial period ending June 30, 2005, the following:

16

17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
19	(01) REGULAR SALARIES	\$ 14,355	\$ 14,355
20	(02) EXTRA HELP	31,062	31,062
21	(03) PERSONAL SERV MATCH	8,097	8,097
22	(04) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE	298	298
24	(B) CONF. & TRAVEL	0	0
25	(C) PROF. FEES	0	0
26	(D) CAP. OUTLAY	0	0
27	(E) DATA PROC.	<u>0</u>	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 53,812</u>	<u>\$ 53,812</u>

29

30 SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the  
 31 Forest Echoes Technical Institute, to be payable from cash funds as defined  
 32 by Arkansas Code 19-4-801 of the Forest Echoes Technical Institute, for  
 33 personal services and operating expenses of the Forest Echoes Technical  
 34 Institute for the biennial period ending June 30, 2005, the following:

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36	ITEM	FISCAL YEARS
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1	NO.		2003-2004	2004-2005
2	(01)	REGULAR SALARIES	\$ 187,622	\$ 190,993
3	(02)	EXTRA HELP	198,331	198,331
4	(03)	PERSONAL SERV MATCH	86,525	87,225
5	(04)	MAINT. & GEN. OPERATION		
6	(A)	OPER. EXPENSE	225,000	225,000
7	(B)	CONF. & TRAVEL	20,000	20,000
8	(C)	PROF. FEES	25,000	25,000
9	(D)	CAP. OUTLAY	50,000	50,000
10	(E)	DATA PROC.	0	0
11	(05)	RESALE	150,000	151,000
12	(06)	DEBT SERVICE	48,000	48,000
13	(07)	SPECIAL MAINTENANCE	<u>300,000</u>	<u>300,000</u>
14		TOTAL AMOUNT APPROPRIATED	<u>\$ 1,290,478</u>	<u>\$ 1,295,549</u>

15

16 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 18 CONTINGENCY. (a) To address needs emerging from the restructuring of the  
 19 Technical Institutes, Forest Echoes Technical Institute shall establish and  
 20 maintain for the ~~2001-2003~~ 2003-2005 biennium a pool of four (4) unclassified  
 21 positions and three (3) classified positions, payable from funds appropriated  
 22 for Forest Echoes Technical Institute. These positions are to be used by  
 23 Forest Echoes Technical Institute in the event that the number and level of  
 24 positions available to address the needs emerging from business and industry  
 25 driven program expansions exceeds the number of positions regularly  
 26 authorized for Forest Echoes Technical Institute.  
 27 (b) Forest Echoes Technical Institute shall provide justification to the  
 28 Department of Finance and Administration's Office of Personnel Management  
 29 (OPM) for the need to allocate titles from this position pool. No  
 30 classifications will be assigned to the pool until such time as specific  
 31 positions are requested and justified by Forest Echoes Technical Institute,  
 32 recommended by OPM and approved by the Legislative Council. Forest Echoes  
 33 Technical Institute may transfer positions from this pool to any pay schedule  
 34 the agency currently maintains or any pay schedule the agency receives during  
 35 the ~~2001-2003~~ 2003-2005 biennium.  
 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 Forest Echoes 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  
 7 section and since the General Assembly has granted the agency broad powers  
 8 under the growth pool concept, it is both necessary and appropriate that the  
 9 General Assembly maintain oversight of the utilization of the growth pool by  
 10 requiring prior approval of the Legislative Council in the utilization of the  
 11 growth pool. Therefore, the requirement of approval by the Legislative  
 12 Council is not a severable part of this section. If the requirement of  
 13 approval by the Legislative Council is ruled unconstitutional by a court  
 14 jurisdiction, this entire section is void.

15 If the agency requests continuation of a "Growth Pool" position(s) as  
 16 established herein during the next biennium, the position(s) must be  
 17 requested as a new position(s) in the agencies biennial budget request.

18 The provisions of this section shall be in effect only from ~~July 1, 2001~~ July  
 19 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

27 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 28 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

1 the Department of Finance and Administration, as authorized by law, shall be  
2 strictly complied with in disbursement of said funds.

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

12  
13 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General  
14 Assembly, that the Constitution of the State of Arkansas prohibits the  
15 appropriation of funds for more than a two (2) year period; that the  
16 effectiveness of this Act on July 1, 2003 is essential to the operation of  
17 the agency for which the appropriations in this Act are provided, and that in  
18 the event of an extension of the Regular Session, the delay in the effective  
19 date of this Act beyond July 1, 2003 could work irreparable harm upon the  
20 proper administration and provision of essential governmental programs.  
21 Therefore, an emergency is hereby declared to exist and this Act being  
22 necessary for the immediate preservation of the public peace, health and  
23 safety shall be in full force and effect from and after July 1, 2003.