

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

As Engrossed: H3/21/03
A Bill

HOUSE BILL 1303

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 NORTHWEST
11 TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE NORTHWEST TECHNICAL
16 INSTITUTE APPROPRIATION FOR THE
17 2003-2005 BIENNIUM.
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20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Northwest Technical Institute for the 2003-2005 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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35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2003-2004	2004-2005
3	(1)	9752 VO TECH TECHNICIAN II	10	\$61,851	\$63,427
4	(2)	9753 VO TECH TECHNICIAN I	3	\$56,319	\$57,789
5	(3)	9046 WORKFORCE ED FACULTY	24	\$52,384	\$53,780
6	(4)	9047 WORKFORCE ED PART TIME FACULTY	1	\$17,939	\$18,509
7	(5)	247Z ED VO TECH SCHOOL DIRECTOR	1	GRADE	25
8	(6)	482Z ED VO TECH SCHOOL ASST DIR	3	GRADE	23
9	(7)	D036 SR PROGRAMMER/ANALYST	2	GRADE	21
10	(8)	M100 VOCATIONAL COUNSELOR	2	GRADE	21
11	(9)	R144 PROGRAM COORDINATOR	1	GRADE	20
12	(10)	G028 BLDG PLANT MAINTENANCE SUPV II	1	GRADE	18
13	(11)	R032 ASST REGISTRAR	1	GRADE	18
14	(12)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
15	(13)	R190 PERSONNEL OFFICER II	1	GRADE	17
16	(14)	A063 PAYROLL OFFICER	1	GRADE	15
17	(15)	A108 ACCOUNTING TECHNICIAN II	2	GRADE	15
18	(16)	R009 ADMINISTRATIVE ASSISTANT I	1	GRADE	15
19	(17)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE	14
20	(18)	R041 BOOKSTORE OFFICE MANAGER	1	GRADE	14
21	(19)	E017 INSTITUTION ASSISTANT LIBRARIAN	1	GRADE	13
22	(20)	K153 SECRETARY II	3	GRADE	13
23	(21)	G165 WORK MAINTENANCE LEADER	1	GRADE	10
24	(22)	G109 BLDG/EQUIP MAINT REPAIRMAN II	<u>2</u>	GRADE	08
25		MAX. NO. OF EMPLOYEES	65		

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27 SECTION 2. EXTRA HELP. There is hereby authorized, for the Northwest
 28 Technical Institute for the 2003-2005 biennium, the following maximum number
 29 of part-time or temporary employees, to be known as "Extra Help", payable
 30 from funds appropriated herein for such purposes: one hundred seven (107)
 31 temporary or part-time employees, when needed, at rates of pay not to exceed
 32 those provided in the Uniform Classification and Compensation Act, or its
 33 successor, or this act for the appropriate classification.

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35 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the
 36 Northwest Technical Institute, to be payable from the Northwest Technical

1 Institute Fund, for personal services and operating expenses of the Northwest
 2 Technical Institute for the biennial period ending June 30, 2005, the
 3 following:

5 ITEM	FISCAL YEARS	
6 NO.	2003-2004	2004-2005
7 (01) REGULAR SALARIES	\$ 2,031,409	\$ 2,073,734
8 (02) EXTRA HELP	361,093	361,093
9 (03) PERSONAL SERV MATCH	630,901	639,485
10 (04) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE	594,377	594,377
12 (B) CONF. & TRAVEL	11,500	11,500
13 (C) PROF. FEES	0	0
14 (D) CAP. OUTLAY	0	0
15 (E) DATA PROC.	<u>0</u>	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,629,280</u>	<u>\$ 3,680,189</u>

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 18 SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 19 Northwest Technical Institute, to be payable from the federal funds as
 20 designated by the Chief Fiscal Officer of the State, for personal services
 21 and operating expenses of the Northwest Technical Institute for the biennial
 22 period ending June 30, 2005, the following:

24 ITEM	FISCAL YEARS	
25 NO.	2003-2004	2004-2005
26 (01) REGULAR SALARIES	\$ 51,354	\$ 52,413
27 (02) EXTRA HELP	14,746	14,746
28 (03) PERSONAL SERV MATCH	18,819	19,027
29 (04) MAINT. & GEN. OPERATION		
30 (A) OPER. EXPENSE	5,472	5,472
31 (B) CONF. & TRAVEL	0	0
32 (C) PROF. FEES	0	0
33 (D) CAP. OUTLAY	0	0
34 (E) DATA PROC.	<u>0</u>	<u>0</u>
35 TOTAL AMOUNT APPROPRIATED	<u>\$ 90,391</u>	<u>\$ 91,658</u>

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

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 88,612	\$ 89,811
(02) EXTRA HELP	627,600	627,600
(03) PERSONAL SERV MATCH	75,932	76,169
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	353,500	353,500
(B) CONF. & TRAVEL	30,000	30,000
(C) PROF. FEES	175,000	175,000
(D) CAP. OUTLAY	200,000	200,000
(E) DATA PROC.	0	0
(05) RESALE	275,000	275,000
(06) DEBT SERVICE	<u>57,415</u>	<u>57,415</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,883,059</u>	<u>\$ 1,884,495</u>

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONTINGENCY. (a) To address needs emerging from the restructuring of the Technical Institutes, Northwest Technical Institute shall establish and maintain for the ~~2001-2003~~ 2003-2005 biennium a pool of four (4) unclassified positions and three (3) classified positions, payable from funds appropriated for Northwest Technical Institute. These positions are to be used by Northwest Technical Institute in the event that the number and level of positions available to address the needs emerging from business and industry driven program expansions exceeds the number of positions regularly authorized for Northwest Technical Institute. (b) Northwest Technical Institute shall provide justification to the Department of Finance and Administration's Office of Personnel Management (OPM) for the need to allocate titles from this position pool. No 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 ~~2001-2003~~ 2003-2005 biennium.

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

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

24 The provisions of this section shall be in effect only from ~~July 1, 2001~~ July
 25 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

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

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 36 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

1 by this act shall be limited to the appropriation for such agency and funds
2 made available by law for the support of such appropriations; and the
3 restrictions of the State Purchasing Law, the General Accounting and
4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
5 Procedures and Restrictions Act, or their successors, and other fiscal
6 control laws of this State, where applicable, and regulations promulgated by
7 the Department of Finance and Administration, as authorized by law, shall be
8 strictly complied with in disbursement of said funds.

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

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

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31 */s/ Joint Budget Committee*
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