

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

A Bill

HOUSE BILL 1379

4
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 FOOTHILLS
11 TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE FOOTHILLS TECHNICAL
16 INSTITUTE APPROPRIATION FOR THE
17 2003-2005 BIENNIUM.
18
19
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 Foothills 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.
34

35 Maximum Annual
36 Maximum Salary Rate



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Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2003-2004	2004-2005
3	(1)	9752 VO TECH TECHNICIAN II	1	\$61,851	\$63,427
4	(2)	9753 VO TECH TECHNICIAN I	1	\$56,320	\$57,790
5	(3)	9046 WORKFORCE ED FACULTY	40	\$52,384	\$53,780
6	(4)	9047 WORKFORCE ED PART TIME FACULTY	7	\$17,939	\$18,509
7	(5)	247Z ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
8	(6)	043Z DIRECTOR OF SECONDARY CENTER	1	GRADE 23	
9	(7)	482Z ED VO TECH SCHOOL ASST DIR	2	GRADE 23	
10	(8)	845Z ED COORD ADULT ED PROGRAMS	1	GRADE 23	
11	(9)	D012 NETWORK PLANNING PROJECT LDR	1	GRADE 22	
12	(10)	A008 ACCOUNTING SUPERVISOR II	1	GRADE 21	
13	(11)	E049 INDUSTRIAL COORDINATOR	1	GRADE 21	
14	(12)	M100 VOCATIONAL COUNSELOR	2	GRADE 21	
15	(13)	D128 P C SUPPORT SPECIALIST	1	GRADE 18	
16	(14)	G028 BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18	
17	(15)	N328 INFORMATION OFFICER II	1	GRADE 18	
18	(16)	R264 MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
19	(17)	V040 PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18	
20	(18)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
21	(19)	A108 ACCOUNTING TECHNICIAN II	1	GRADE 15	
22	(20)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
23	(21)	R041 BOOKSTORE OFFICE MANAGER	1	GRADE 14	
24	(22)	K153 SECRETARY II	5	GRADE 13	
25	(23)	R125 PERSONNEL OFFICER	1	GRADE 13	
26	(24)	K155 SECRETARY I	2	GRADE 11	
27	(25)	G177 MAINTENANCE WORKER SUPERVISOR	1	GRADE 07	
28	(26)	T061 WATCHMAN	<u>1</u>	GRADE 03	
29	MAX. NO. OF EMPLOYEES		78		

30

31 SECTION 2. EXTRA HELP. There is hereby authorized, for the Foothills
 32 Technical Institute for the 2003-2005 biennium, the following maximum number
 33 of part-time or temporary employees, to be known as "Extra Help", payable
 34 from funds appropriated herein for such purposes: eighty seven (87)
 35 temporary or part-time employees, when needed, at rates of pay not to exceed
 36 those provided in the Uniform Classification and Compensation Act, or its

1 successor, or this act for the appropriate classification.

2

3 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the
 4 Foothills Technical Institute, to be payable from the Foothills Technical
 5 Institute Fund, for personal services and operating expenses of the Foothills
 6 Technical Institute - State for the biennial period ending June 30, 2005, the
 7 following:

8

9 ITEM	FISCAL YEARS	
	2003-2004	2004-2005
10 NO.		
11 (01) REGULAR SALARIES	\$ 2,089,711	\$ 2,089,711
12 (02) EXTRA HELP	79,652	79,652
13 (03) PERSONAL SERV MATCH	601,446	601,446
14 (04) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE	713,026	713,026
16 (B) CONF. & TRAVEL	13,532	13,532
17 (C) PROF. FEES	7,200	7,200
18 (D) CAP. OUTLAY	9,395	9,395
19 (E) DATA PROC.	<u>0</u>	<u>0</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,513,962</u>	<u>\$ 3,513,962</u>

21

22 SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 23 Foothills Technical Institute, to be payable from the federal funds as
 24 designated by the Chief Fiscal Officer of the State, for personal services
 25 and operating expenses of the Foothills Technical Institute - Federal for the
 26 biennial period ending June 30, 2005, the following:

27

28 ITEM	FISCAL YEARS	
	2003-2004	2004-2005
29 NO.		
30 (01) REGULAR SALARIES	\$ 173,659	\$ 178,347
31 (02) EXTRA HELP	26,058	26,058
32 (03) PERSONAL SERV MATCH	56,398	57,322
33 (04) MAINT. & GEN. OPERATION		
34 (A) OPER. EXPENSE	236,871	246,471
35 (B) CONF. & TRAVEL	2,300	2,400
36 (C) PROF. FEES	0	0

1	(D) CAP. OUTLAY	0	0
2	(E) DATA PROC.	<u>0</u>	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 495,286</u>	<u>\$ 510,598</u>

4

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

11	ITEM	FISCAL YEARS	
12	<u>NO.</u>	2003-2004	2004-2005
13	(01) REGULAR SALARIES	\$ 182,006	\$ 186,921
14	(02) EXTRA HELP	71,200	72,010
15	(03) PERSONAL SERV MATCH	64,883	65,914
16	(04) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	134,821	137,321
18	(B) CONF. & TRAVEL	32,000	32,000
19	(C) PROF. FEES	30,600	30,600
20	(D) CAP. OUTLAY	0	0
21	(E) DATA PROC.	0	0
22	(05) RESALE	265,000	267,000
23	(06) DEBT SERVICE	<u>54,000</u>	<u>54,000</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 834,510</u>	<u>\$ 845,766</u>

25

26 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
28 CONTINGENCY. (a) To address needs emerging from the restructuring of the
29 Technical Institutes, Foothills Technical Institute shall establish and
30 maintain for the ~~2001-2003~~ 2003-2005 biennium a pool of four (4) unclassified
31 positions and three (3) classified positions, payable from funds appropriated
32 for Foothills Technical Institute. These positions are to be used by
33 Foothills Technical Institute in the event that the number and level of
34 positions available to address the needs emerging from business and industry
35 driven program expansions exceeds the number of positions regularly
36 authorized for Foothills Technical Institute.

1 (b) Foothills Technical Institute shall provide justification to the
 2 Department of Finance and Administration's Office of Personnel Management
 3 (OPM) for the need to allocate titles from this position pool. No
 4 classifications will be assigned to the pool until such time as specific
 5 positions are requested and justified by Foothills Technical Institute,
 6 recommended by OPM and approved by the Legislative Council. Foothills
 7 Technical Institute may transfer positions from this pool to any pay schedule
 8 the agency currently maintains or any pay schedule the agency receives during
 9 the ~~2001-2003~~ 2003-2005 biennium.

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

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

28 The provisions of this section shall be in effect only from ~~July 1, 2001~~ July
 29 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

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

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

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

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