

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

SENATE BILL 171

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

## Subtitle

14  
15 AN ACT FOR THE COTTON BOLL 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 Cotton  
24 Boll Technical Institute for the 2003-2005 biennium, the following maximum  
25 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



Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2003-2004	2004-2005
3	(1)	9752 VO TECH TECHNICIAN II	1	\$61,851	\$63,427
4	(2)	6631 TECHNICAL INSTITUTE COUNSELOR	1	\$52,588	\$53,987
5	(3)	9046 WORKFORCE ED FACULTY	35	\$52,384	\$53,780
6	(4)	247Z ED VO TECH SCHOOL DIRECTOR	1	GRADE	25
7	(5)	482Z ED VO TECH SCHOOL ASST DIR	3	GRADE	23
8	(6)	M100 VOCATIONAL COUNSELOR	1	GRADE	21
9	(7)	A056 INTERNAL AUDITOR	1	GRADE	20
10	(8)	A111 ACCOUNTANT	1	GRADE	18
11	(9)	G028 BLDG PLANT MAINTENANCE SUPV II	1	GRADE	18
12	(10)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
13	(11)	R440 BUSINESS CONTROLLER II	1	GRADE	16
14	(12)	A108 ACCOUNTING TECHNICIAN II	3	GRADE	15
15	(13)	K153 SECRETARY II	3	GRADE	13
16	(14)	K089 PERSONNEL ASSISTANT	1	GRADE	12
17	(15)	K155 SECRETARY I	1	GRADE	11
18	(16)	H027 COOK II	2	GRADE	10
19	(17)	G109 BLDG/EQUIP MAINT REPAIRMAN II	2	GRADE	08
20	(18)	T061 WATCHMAN	<u>1</u>	GRADE	03
21		MAX. NO. OF EMPLOYEES	60		

22

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

30

31 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the  
 32 Cotton Boll Technical Institute, to be payable from the Cotton Boll Technical  
 33 Institute Fund, for personal services and operating expenses of the Cotton  
 34 Boll Technical Institute - State for the biennial period ending June 30,  
 35 2005, the following:

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ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 1,581,585	\$ 1,581,585
(02) EXTRA HELP	294,915	294,915
(03) PERSONAL SERV MATCH	509,905	509,905
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	267,811	267,811
(B) CONF. & TRAVEL	20,185	20,185
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	24,152	24,152
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,698,553</u>	<u>\$ 2,698,553</u>

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

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 55,276	\$ 56,414
(02) EXTRA HELP	73,000	73,000
(03) PERSONAL SERV MATCH	28,000	28,232
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	31,175	31,175
(B) CONF. & TRAVEL	2,000	2,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 189,451</u>	<u>\$ 190,821</u>

SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the Cotton Boll Technical Institute, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Cotton Boll Technical Institute, for personal services and operating expenses of the Cotton Boll Technical Institute - Cash

1 for the biennial period ending June 30, 2005, the following:

2

3	ITEM	FISCAL YEARS	
4	<u>NO.</u>	2003-2004	2004-2005
5	(01) REGULAR SALARIES	\$ 200,029	\$ 205,430
6	(02) EXTRA HELP	246,000	246,000
7	(03) PERSONAL SERV MATCH	84,945	86,046
8	(04) MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE	450,000	450,000
10	(B) CONF. & TRAVEL	50,000	50,000
11	(C) PROF. FEES	100,000	100,000
12	(D) CAP. OUTLAY	0	0
13	(E) DATA PROC.	0	0
14	(05) RESALE	200,000	200,000
15	(06) SPECIAL MAINTENANCE	<u>200,000</u>	<u>200,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,530,974</u>	<u>\$ 1,537,476</u>

17

18 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

20 CONTINGENCY. (a) To address needs emerging from the restructuring of the  
 21 Technical Institutes, Cotton Boll Technical Institute shall establish and  
 22 maintain for the ~~2001-2003~~ 2003-2005 biennium a pool of four (4) unclassified  
 23 positions and three (3) classified positions, payable from funds appropriated  
 24 for Cotton Boll Technical Institute. These positions are to be used by  
 25 Cotton Boll Technical Institute in the event that the number and level of  
 26 positions available to address the needs emerging from business and industry  
 27 driven program expansions exceeds the number of positions regularly  
 28 authorized for Cotton Boll Technical Institute.

29 (b) Cotton Boll Technical Institute shall provide justification to the  
 30 Department of Finance and Administration's Office of Personnel Management  
 31 (OPM) for the need to allocate titles from this position pool. No  
 32 classifications will be assigned to the pool until such time as specific  
 33 positions are requested and justified by Cotton Boll Technical Institute,  
 34 recommended by OPM and approved by the Legislative Council. Cotton Boll  
 35 Technical Institute may transfer positions from this pool to any pay schedule  
 36 the agency currently maintains or any pay schedule the agency receives during

1 the ~~2001-2003~~ 2003-2005 biennium.

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

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

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

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

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

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

1 Procedures and Restrictions Act, or their successors, and other fiscal  
2 control laws of this State, where applicable, and regulations promulgated by  
3 the Department of Finance and Administration, as authorized by law, shall be  
4 strictly complied with in disbursement of said funds.

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

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