

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 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

HOUSE BILL 1160

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 RIVERSIDE  
11 VOCATIONAL TECHNICAL SCHOOL FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE RIVERSIDE VOCATIONAL  
17 TECHNICAL SCHOOL APPROPRIATION FOR THE  
18 2005-2007 BIENNIUM.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the  
25 Riverside Vocational Technical School for the 2005-2007 biennium, the  
26 following maximum number of regular employees whose salaries shall be  
27 governed by the provisions of the Uniform Classification and Compensation Act  
28 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
29 thereto. Provided, however, that any position to which a specific maximum  
30 annual salary is set out herein in dollars, shall be exempt from the  
31 provisions of said Uniform Classification and Compensation Act. All persons  
32 occupying positions authorized herein are hereby governed by the provisions  
33 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
34 101), or its successor.  
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36 Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years		
				2005-2006	2006-2007	
1	(1)	9046	WORKFORCE ED FACULTY	29	\$55,351	\$56,952
2	(2)	247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
3	(3)	482Z	ED VO TECH SCHOOL ASST DIR	3	GRADE 23	
4	(4)	M100	VOCATIONAL COUNSELOR	1	GRADE 21	
5	(5)	A111	ACCOUNTANT	1	GRADE 18	
6	(6)	R010	ADMINISTRATIVE ASSISTANT II	2	GRADE 17	
7	(7)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	<u>1</u>	GRADE 14	
8			MAX. NO. OF EMPLOYEES	38		

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13 SECTION 2. APPROPRIATION - STATE. There is hereby appropriated, to the  
 14 Riverside Vocational Technical School, to be payable from the Riverside  
 15 Vocational Technical School Fund, for personal services and operating  
 16 expenses of the Riverside Vocational Technical School for the biennial period  
 17 ending June 30, 2007, the following:

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ITEM NO.		FISCAL YEARS		
		2005-2006	2006-2007	
19	(01)	REGULAR SALARIES	\$ 1,925,382	\$ 1,981,089
20	(02)	PERSONAL SERVICES MATCHING	560,083	572,176
21	(03)	MAINT. & GEN. OPERATION		
22	(A)	OPER. EXPENSE	159,896	159,896
23	(B)	CONF. & TRAVEL	4,000	4,000
24	(C)	PROF. FEES	2,200	2,200
25	(D)	CAP. OUTLAY	0	0
26	(E)	DATA PROC.	<u>0</u>	<u>0</u>
27		TOTAL AMOUNT APPROPRIATED	<u>\$ 2,651,561</u>	<u>\$ 2,719,361</u>

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 31 SECTION 3. APPROPRIATION - PLUMBING APPRENTICESHIP PROGRAM. There is  
 32 hereby appropriated, to the Riverside Vocational Technical School, to be  
 33 payable from the Riverside Vocational Technical School Fund, for personal  
 34 services of the Riverside Vocational Technical School - Plumbing  
 35 Apprenticeship Program for the biennial period ending June 30, 2007, the  
 36 following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 55,351	\$ 56,952
(02) PERSONAL SERVICES MATCHING	<u>15,857</u>	<u>16,204</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 71,208</u>	<u>\$ 73,156</u>

SECTION 4. 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, Riverside Vocational Technical School shall establish and maintain for the ~~2003-2005~~ 2005-2007 biennium a pool of three (3) unclassified positions and two (2) classified positions, payable from funds appropriated for Riverside Vocational Technical School. These positions are to be used by Riverside Vocational Technical School in the event that the number and level of positions available to address the needs emerging from the increasing number of inmates incarcerated within the Arkansas Department of Correction and business and industry driven program expansions exceeds the number of positions regularly authorized for Riverside Vocational Technical School.

(b) Riverside Vocational Technical School 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 positions are requested and justified by Riverside Vocational Technical School, recommended by OPM and approved by the Legislative Council.

Riverside Vocational Technical School may transfer positions from this pool to any pay schedule the agency currently maintains or any pay schedule the agency receives during the ~~2003-2005~~ 2005-2007 biennium.

(c) Determining the number of personnel to be employed by a state agency is the prerogative of the General Assembly and is usually accomplished by delineating the maximum number of personnel by identifying job titles and the maximum grade or salary attached to those titles. The General Assembly has determined that Riverside Vocational Technical School could be operated more efficiently if some flexibility is given to that agency. That flexibility is being accomplished by providing growth pools in subsection (a) of this

1 section and since the General Assembly has granted the agency broad powers  
 2 under the growth pool concept, it is both necessary and appropriate that the  
 3 General Assembly maintain oversight of the utilization of the growth pool by  
 4 requiring prior approval of the Legislative Council in the utilization of the  
 5 growth pool. Therefore, the requirement of approval by the Legislative  
 6 Council is not a severable part of this section. If the requirement of  
 7 approval by the Legislative Council is ruled unconstitutional by a court  
 8 jurisdiction, this entire section is void.

9 If the agency requests continuation of a "Growth Pool" position(s) as  
 10 established herein during the next biennium, the position(s) must be  
 11 requested as a new position(s) in the agency's biennial budget request.  
 12 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005  
 13 through June 30, ~~2005~~ 2007

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 15 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME  
 17 FACULTY. Riverside Vocational Technical School and the Technical Institutes  
 18 are not required to remit a state contribution to the state employee  
 19 insurance trust fund on Workforce Education Part-time Faculty Positions  
 20 unless the position will be utilized for more than 1,000 hours a year.

21 The provisions of this section shall be in effect only from July 1, ~~2003~~  
 22 2005 through June 30, ~~2005~~ 2007.

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 24 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 25 by this act shall be limited to the appropriation for such agency and funds  
 26 made available by law for the support of such appropriations; and the  
 27 restrictions of the State Procurement Law, the General Accounting and  
 28 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 29 Procedures and Restrictions Act, or their successors, and other fiscal  
 30 control laws of this State, where applicable, and regulations promulgated by  
 31 the Department of Finance and Administration, as authorized by law, shall be  
 32 strictly complied with in disbursement of said funds.

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 34 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 35 that any funds disbursed under the authority of the appropriations contained  
 36 in this act shall be in compliance with the stated reasons for which this act

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

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7 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
8 Assembly, that the Constitution of the State of Arkansas prohibits the  
9 appropriation of funds for more than a two (2) year period; that the  
10 effectiveness of this Act on July 1, 2005 is essential to the operation of  
11 the agency for which the appropriations in this Act are provided, and that in  
12 the event of an extension of the Regular Session, the delay in the effective  
13 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
14 proper administration and provision of essential governmental programs.  
15 Therefore, an emergency is hereby declared to exist and this Act being  
16 necessary for the immediate preservation of the public peace, health and  
17 safety shall be in full force and effect from and after July 1, 2005.

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