

State of Arkansas
85th General Assembly
Regular Session, 2005

A Bill

HOUSE BILL 1167

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
SERVICES AND OPERATING EXPENSES FOR THE CROWLEY'S
RIDGE TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD
ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE CROWLEY'S RIDGE
TECHNICAL INSTITUTE APPROPRIATION FOR
THE 2005-2007 BIENNIUM.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the
Crowley's Ridge Technical Institute for the 2005-2007 biennium, the following
maximum number of regular employees whose salaries shall be governed by the
provisions of the Uniform Classification and Compensation Act (Arkansas Code
§§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
Provided, however, that any position to which a specific maximum annual
salary is set out herein in dollars, shall be exempt from the provisions of
said Uniform Classification and Compensation Act. All persons occupying
positions authorized herein are hereby governed by the provisions of the
Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
or its successor.

	Maximum Annual
Maximum	Salary Rate



Item	Class		No. of	Fiscal Years	
	No.	Code Title		2005-2006	2006-2007
(1)	9752	VO TECH TECHNICIAN II	4	\$65,182	\$66,970
(2)	9046	WORKFORCE ED FACULTY	31	\$55,351	\$56,952
(3)	9047	WORKFORCE ED PART TIME FACULTY	5	\$19,109	\$19,709
(4)	247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE	25
(5)	482Z	ED VO TECH SCHOOL ASST DIR	3	GRADE	23
(6)	M100	VOCATIONAL COUNSELOR	1	GRADE	21
(7)	E094	DAY CARE TEACHER SUPERVISOR	1	GRADE	19
(8)	G028	BLDG PLANT MAINTENANCE SUPV II	2	GRADE	18
(9)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE	17
(10)	R190	PERSONNEL OFFICER II	1	GRADE	17
(11)	A108	ACCOUNTING TECHNICIAN II	2	GRADE	15
(12)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE	14
(13)	K153	SECRETARY II	5	GRADE	13
(14)	G109	BLDG/EQUIP MAINT REPAIRMAN II	<u>3</u>	GRADE	08
		MAX. NO. OF EMPLOYEES	61		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Crowley's Ridge Technical Institute for the 2005-2007 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: seventy six (76) 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 - EDUCATION AND TRAINING PROGRAM. There is hereby appropriated, to be payable from the funds and fund accounts as set out herein, to the Crowley's Ridge Technical Institute for the biennial period ending June 30, 2007, the following:

(a) For the Education & Training Program, the sum of \$5,098,499 for the 2005-2006 fiscal year and \$5,181,860 for the 2006-2007 fiscal year.

(1) Program Description. The workforce education and training program consists of resources needed to identify and implement the training plan designed to provide academic and technical instruction and services.

Crowley's Ridge strives to respond to the business and industry needs in its

service area.

(2) Appropriation payable from:

FISCAL YEARS

2005-2006

2006-2007

(A) General Revenue:

Crowley's Ridge Technical

Institute Fund

\$ 1,737,666

\$ 1,784,256

TOTAL General Revenue

\$ 1,737,666

\$ 1,784,256

(B) Federal Funds as designated by
the Chief Fiscal Officer of the

State

\$ 115,537

\$ 119,000

(C) Other Funds

\$ 2,119,200

\$ 1,480,657

(3) Performance Targets:

(A) Business/Industry Training

(clock hours)

53,000

54,000

(B) Placement in jobs related to
training, retention, completion,
postsecondary or advanced
training, employment or military
service.

64.52%

64.52%

(C) Student attainment of academic
and technical skill proficiency.

42.5%

43%

SECTION 4. APPROPRIATION - ADMINISTRATION AND SUPPORT PROGRAM. There is hereby appropriated, to be payable from the funds and fund accounts as set out herein, to the Crowley's Ridge Technical Institute for the biennial period ending June 30, 2007, the following:

(a) For the Administration & Support Program, the sum of \$734,887 for the 2005-2006 fiscal year and \$750,188 for the 2006-2007 fiscal year.

(1) Program Description. The administration and support program consists of the personnel, maintenance and operations, building and grounds, and equipment resources needed to facilitate the education and training program.

(2) Appropriation payable from:

FISCAL YEARS

2005-2006

2006-2007

(A) General Revenue:

Crowley's Ridge Technical

Institute Fund

\$ 612,367

\$ 625,168

1	TOTAL General Revenue	\$	612,367	\$	625,168
2	(B) Other Funds	\$	122,520	\$	125,020
3	(3) Performance Targets:				
4	(A) Number of prior year audit				
5	findings repeated in subsequent				
6	audit.		1		0
7	(B) Operating expenditures of the				
8	Administration and Support				
9	Program as a percent of the total				
10	operating budget for the				
11	Institute.		27%		26%

13 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

15 CONTINGENCY. (a) To address needs emerging from the restructuring of the
 16 Technical Institutes, Crowley's Ridge Technical Institute shall establish and
 17 maintain for the ~~2003-2005~~ 2005-2007 biennium a pool of four (4)
 18 unclassified positions and four (4) classified positions, payable from funds
 19 appropriated for Crowley's Ridge Technical Institute. These positions are to
 20 be used by Crowley's Ridge Technical Institute in the event that the number
 21 and level of positions available to address the needs emerging from business
 22 and industry driven program expansions exceeds the number of positions
 23 regularly authorized for Crowley's Ridge Technical Institute.

24 (b) Crowley's Ridge Technical Institute shall provide justification to the
 25 Department of Finance and Administration's Office of Personnel Management
 26 (OPM) for the need to allocate titles from this position pool. No
 27 classifications will be assigned to the pool until such time as specific
 28 positions are requested and justified by Crowley's Ridge Technical Institute,
 29 recommended by OPM and approved by the Legislative Council. Crowley's Ridge
 30 Technical Institute may transfer positions from this pool to any pay schedule
 31 the agency currently maintains or any pay schedule the agency receives during
 32 the ~~2003-2005~~ 2005-2007 biennium.

33 (c) Determining the number of personnel to be employed by a state agency is
 34 the prerogative of the General Assembly and is usually accomplished by
 35 delineating the maximum number of personnel by identifying job titles and the
 36 maximum grade or salary attached to those titles. The General Assembly has

determined that Crowley's Ridge Technical Institute 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 section and since the General Assembly has granted the agency broad powers under the growth pool concept, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the growth pool by requiring prior approval of the Legislative Council in the utilization of the growth pool. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

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

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME FACULTY. The Technical Institutes are not required to remit a state contribution to the state employee insurance trust fund on Workforce Education Part-time Faculty Positions unless the position will be utilized for more than 1,000 hours a year.

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

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADDITIONAL TEACHING LOAD. Instructional staff in a postsecondary technical institute as authorized for the various technical institutes, may be paid up to forty five (\$45) per clock hour for the fiscal year ending June 30, 2006 and up to fifty dollars (\$50) per clock hour for the fiscal year ending June 30, 2007, for non-credit teaching assignments; or, up to five hundred dollars (\$500) per semester hour for the fiscal year ending June 30, 2006, and up to five hundred fifty dollars (\$550) per semester hour for the fiscal year ending June 30, 2007, for teaching courses beyond the defined teaching load;

1 and the employee's maximum allowable salary may be exceeded by such amount;
2 provided, however, that such additional teaching load may not exceed one
3 hundred fifty (150) clock hours or nine (9) semester credit hours per school
4 year. Further, the provisions of this section shall only apply to credit and
5 noncredit courses that are funded by Private Industry.

6 The provisions of this section shall be in effect only from July 1,
7 2005 through June 30,2007.

8
9 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
11 HELP RESTRICTION. No employee of Crowley's Ridge Technical Institute, who
12 is employed as "Extra Help" may receive an amount to exceed eighty-five
13 percent (85%) of the maximum annual salary for a comparable position as
14 authorized under Arkansas Code 21-5-201 et seq. during any fiscal year, nor
15 shall such employee be employed for a period of time to exceed fourteen
16 hundred (1400) hours in any single fiscal year.

17 The provisions of this section shall be in effect only from July 1,
18 2005 through June 30,2007.

19
20 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
21 by this act shall be limited to the appropriation for such agency and funds
22 made available by law for the support of such appropriations; and the
23 restrictions of the State Procurement Law, the General Accounting and
24 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
25 Procedures and Restrictions Act, or their successors, and other fiscal
26 control laws of this State, where applicable, and regulations promulgated by
27 the Department of Finance and Administration, as authorized by law, shall be
28 strictly complied with in disbursement of said funds.

29
30 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
31 that any funds disbursed under the authority of the appropriations contained
32 in this act shall be in compliance with the stated reasons for which this act
33 was adopted, as evidenced by the Agency Requests, Executive Recommendations
34 and Legislative Recommendations contained in the budget manuals prepared by
35 the Department of Finance and Administration, letters, or summarized oral
36 testimony in the official minutes of the Arkansas Legislative Council or

1 Joint Budget Committee which relate to its passage and adoption.

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