

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1212

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE CROWLEY'S
11 RIDGE TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE CROWLEY'S RIDGE
16 TECHNICAL INSTITUTE APPROPRIATION FOR
17 THE 2007-2009 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 Crowley's Ridge Technical Institute for the 2007-2009 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
36
Maximum Annual
Maximum Salary Rate



| Item | Class | | No. of Employees | Fiscal Years | |
|------|-------|---|---------------------|--------------|-----------|
| | No. | Code Title | | 2007-2008 | 2008-2009 |
| 3 | (1) | 9752 VO TECH TECHNICIAN II | 4 | \$68,309 | \$69,675 |
| 4 | (2) | 9046 WORKFORCE ED FACULTY | 31 | \$58,091 | \$59,252 |
| 5 | (3) | 9047 WORKFORCE ED PART TIME FACULTY | 5 | \$20,103 | \$20,505 |
| 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) | E094 DAY CARE TEACHER SUPERVISOR | 1 | GRADE | 19 |
| 10 | (8) | G028 BLDG PLANT MAINTENANCE SUPV II | 2 | GRADE | 18 |
| 11 | (9) | R010 ADMINISTRATIVE ASSISTANT II | 1 | GRADE | 17 |
| 12 | (10) | R190 PERSONNEL OFFICER II | 1 | GRADE | 17 |
| 13 | (11) | A108 ACCOUNTING TECHNICIAN II | 2 | GRADE | 15 |
| 14 | (12) | K041 EXECUTIVE SECY/ADMINISTRATIVE SECY | 1 | GRADE | 14 |
| 15 | (13) | K153 SECRETARY II | 5 | GRADE | 13 |
| 16 | (14) | G109 BLDG/EQUIP MAINT REPAIRMAN II | <u>3</u> | GRADE | 08 |
| 17 | | MAX. NO. OF EMPLOYEES | 61 | | |

SECTION 2. EXTRA HELP. There is hereby authorized, for the Crowley's Ridge Technical Institute for the 2007-2009 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 - STATE. There is hereby appropriated, to the Crowley's Ridge Technical Institute, to be payable from the Crowley's Ridge Technical Institute Fund, for personal services and operating expenses of the Crowley's Ridge Technical Institute - State for the biennial period ending June 30, 2009, the following:

| ITEM NO. | FISCAL YEARS | |
|-----------------------|--------------|--------------|
| | 2007-2008 | 2008-2009 |
| (01) REGULAR SALARIES | \$ 1,994,912 | \$ 2,034,810 |
| (02) EXTRA HELP | 158,400 | 158,400 |

| | | | |
|---|---------------------------------|---------------------|---------------------|
| 1 | (03) PERSONAL SERVICES MATCHING | 667,910 | 676,579 |
| 2 | (04) MAINT. & GEN. OPERATION | | |
| 3 | (A) OPER. EXPENSE | 748,867 | 748,867 |
| 4 | (B) CONF. & TRAVEL | 5,500 | 5,500 |
| 5 | (C) PROF. FEES | 0 | 0 |
| 6 | (D) CAP. OUTLAY | 0 | 0 |
| 7 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 8 | TOTAL AMOUNT APPROPRIATED | <u>\$ 3,575,589</u> | <u>\$ 3,624,156</u> |

9

10 SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 11 Crowley's Ridge Technical Institute, to be payable from the federal funds as
 12 designated by the Chief Fiscal Officer of the State, for personal services
 13 and operating expenses of the Crowley's Ridge Technical Institute - Federal
 14 for the biennial period ending June 30, 2009, the following:

| 16 | ITEM | FISCAL YEARS | |
|----|---------------------------------|-------------------|-------------------|
| 17 | <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| 18 | (01) REGULAR SALARIES | \$ 80,381 | \$ 81,989 |
| 19 | (02) EXTRA HELP | 52,003 | 52,003 |
| 20 | (03) PERSONAL SERVICES MATCHING | 29,854 | 30,203 |
| 21 | (04) MAINT. & GEN. OPERATION | | |
| 22 | (A) OPER. EXPENSE | 28,539 | 28,539 |
| 23 | (B) CONF. & TRAVEL | 1,500 | 1,500 |
| 24 | (C) PROF. FEES | 0 | 0 |
| 25 | (D) CAP. OUTLAY | 25,000 | 25,000 |
| 26 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 27 | TOTAL AMOUNT APPROPRIATED | <u>\$ 217,277</u> | <u>\$ 219,234</u> |

28

29 SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 30 Crowley's Ridge Technical Institute, to be payable from cash funds as defined
 31 by Arkansas Code 19-4-801 of the Crowley's Ridge Technical Institute, for
 32 personal services and operating expenses of the Crowley's Ridge Technical
 33 Institute - Cash for the biennial period ending June 30, 2009, the following:

| 35 | ITEM | FISCAL YEARS | |
|----|------------|------------------|------------------|
| 36 | <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |

| | | | | | | |
|----|------|----------------------------|----|------------------|----|------------------|
| 1 | (01) | REGULAR SALARIES | \$ | 174,395 | \$ | 177,883 |
| 2 | (02) | EXTRA HELP | | 162,631 | | 162,631 |
| 3 | (03) | PERSONAL SERVICES MATCHING | | 75,599 | | 76,357 |
| 4 | (04) | MAINT. & GEN. OPERATION | | | | |
| 5 | (A) | OPER. EXPENSE | | 350,000 | | 350,000 |
| 6 | (B) | CONF. & TRAVEL | | 17,000 | | 17,000 |
| 7 | (C) | PROF. FEES | | 15,000 | | 15,000 |
| 8 | (D) | CAP. OUTLAY | | 300,000 | | 300,000 |
| 9 | (E) | DATA PROC. | | 0 | | 0 |
| 10 | (05) | RESALE | | 210,000 | | 210,000 |
| 11 | (06) | DEBT SERVICE | | <u>1,000</u> | | <u>1,000</u> |
| 12 | | TOTAL AMOUNT APPROPRIATED | \$ | <u>1,305,625</u> | \$ | <u>1,309,871</u> |

13

14 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 16 CONTINGENCY. (a) To address needs emerging from the restructuring of the
 17 Technical Institutes, Crowley's Ridge Technical Institute shall establish and
 18 maintain for the ~~2005-2007~~ 2007-2009 biennium a pool of four (4) unclassified
 19 positions and four (4) classified positions, payable from funds appropriated
 20 for Crowley's Ridge Technical Institute. These positions are to be used by
 21 Crowley's Ridge Technical Institute in the event that the number and level of
 22 positions available to address the needs emerging from business and industry
 23 driven program expansions exceeds the number of positions regularly
 24 authorized for Crowley's Ridge Technical Institute.
 25 (b) Crowley's Ridge Technical Institute shall provide justification to the
 26 Department of Finance and Administration's Office of Personnel Management
 27 (OPM) for the need to allocate titles from this position pool. No
 28 classifications will be assigned to the pool until such time as specific
 29 positions are requested and justified by Crowley's Ridge Technical Institute,
 30 recommended by OPM and approved by the Legislative Council. Crowley's Ridge
 31 Technical Institute may transfer positions from this pool to any pay schedule
 32 the agency currently maintains or any pay schedule the agency receives during
 33 the ~~2005-2007~~ 2007-2009 biennium.
 34 (c) Determining the number of personnel to be employed by a state agency is
 35 the prerogative of the General Assembly and is usually accomplished by
 36 delineating the maximum number of personnel by identifying job titles and the

1 maximum grade or salary attached to those titles. The General Assembly has
 2 determined that Crowley's Ridge Technical Institute could be operated more
 3 efficiently if some flexibility is given to that agency. That flexibility is
 4 being accomplished by providing growth pools in subsection (a) of this
 5 section and since the General Assembly has granted the agency broad powers
 6 under the growth pool concept, it is both necessary and appropriate that the
 7 General Assembly maintain oversight of the utilization of the growth pool by
 8 requiring prior approval of the Legislative Council in the utilization of the
 9 growth pool. Therefore, the requirement of approval by the Legislative
 10 Council is not a severable part of this section. If the requirement of
 11 approval by the Legislative Council is ruled unconstitutional by a court of
 12 competent jurisdiction, this entire section is void.
 13 If the agency requests continuation of a "Growth Pool" position(s) as
 14 established herein during the next biennium, the position(s) must be
 15 requested as a new position(s) in the agency's biennial budget request.

16 The provisions of this section shall be in effect only from July 1, ~~2005~~
 17 2007 through June 30, ~~2007~~ 2009.

18
 19 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME
 21 FACULTY. The Technical Institutes are not required to remit a state
 22 contribution to the state employee insurance trust fund on Workforce
 23 Education Part-time Faculty Positions unless the position will be utilized
 24 for more than 1,000 hours a year.

25 The provisions of this section shall be in effect only from July 1, ~~2005~~
 26 2007 through June 30, ~~2007~~ 2009.

27
 28 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 30 ADDITIONAL TEACHING LOAD. Instructional staff in a postsecondary technical
 31 institute as authorized for the various technical institutes, may be paid up
 32 to forty five dollars (\$45) per clock hour for the fiscal year ending June
 33 30, ~~2006~~ 2008 and up to fifty dollars (\$50) per clock hour for the fiscal
 34 year ending June 30, ~~2007~~ 2009, for non-credit teaching assignments; or, up
 35 to five hundred dollars (\$500) per semester hour for the fiscal year ending
 36 June 30, ~~2006~~ 2008, and up to five hundred fifty dollars (\$550) per semester

1 hour for the fiscal year ending June 30, ~~2007~~ 2009, for teaching courses
2 beyond the defined teaching load; and the employee's maximum allowable salary
3 may be exceeded by such amount; provided, however, that such additional
4 teaching load may not exceed one hundred fifty (150) clock hours or nine (9)
5 semester credit hours per school year. Further, the provisions of this
6 section shall only apply to credit and noncredit courses that are funded by
7 Private Industry.

8 The provisions of this section shall be in effect only from July 1, ~~2005~~
9 2007 through June 30, ~~2007~~ 2009.

10

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

19 The provisions of this section shall be in effect only from July 1, ~~2005~~
20 2007 through June 30, ~~2007~~ 2009.

21

22 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
23 by this act shall be limited to the appropriation for such agency and funds
24 made available by law for the support of such appropriations; and the
25 restrictions of the State Procurement Law, the General Accounting and
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
27 Procedures and Restrictions Act, or their successors, and other fiscal
28 control laws of this State, where applicable, and regulations promulgated by
29 the Department of Finance and Administration, as authorized by law, shall be
30 strictly complied with in disbursement of said funds.

31

32 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly
33 that any funds disbursed under the authority of the appropriations contained
34 in this act shall be in compliance with the stated reasons for which this act
35 was adopted, as evidenced by the Agency Requests, Executive Recommendations
36 and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral
2 testimony in the official minutes of the Arkansas Legislative Council or
3 Joint Budget Committee which relate to its passage and adoption.

4
5 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General
6 Assembly, that the Constitution of the State of Arkansas prohibits the
7 appropriation of funds for more than a two (2) year period; that the
8 effectiveness of this Act on July 1, 2007 is essential to the operation of
9 the agency for which the appropriations in this Act are provided, and that in
10 the event of an extension of the Regular Session, the delay in the effective
11 date of this Act beyond July 1, 2007 could work irreparable harm upon the
12 proper administration and provision of essential governmental programs.
13 Therefore, an emergency is hereby declared to exist and this Act being
14 necessary for the immediate preservation of the public peace, health and
15 safety shall be in full force and effect from and after July 1, 2007.