

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 1213

4
5 By: Joint Budget Committee
6
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For An Act To Be Entitled

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

Subtitle

14
15 AN ACT FOR THE NORTHWEST TECHNICAL
16 INSTITUTE APPROPRIATION FOR THE
17 2007-2009 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Northwest 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.
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35 Maximum Annual
36 Maximum Salary Rate



Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2007-2008	2008-2009
3	(1)	9752 VO TECH TECHNICIAN II	10	\$68,309	\$69,675
4	(2)	9753 VO TECH TECHNICIAN I	3	\$62,337	\$63,583
5	(3)	9046 WORKFORCE ED FACULTY	28	\$58,091	\$59,252
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)	D036 SR PROGRAMMER/ANALYST	2	GRADE	21
9	(7)	M100 VOCATIONAL COUNSELOR	2	GRADE	21
10	(8)	R144 PROGRAM COORDINATOR	1	GRADE	20
11	(9)	R032 ASST REGISTRAR	1	GRADE	18
12	(10)	G028 BLDG PLANT MAINTENANCE SUPV II	1	GRADE	18
13	(11)	R190 PERSONNEL OFFICER II	1	GRADE	17
14	(12)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
15	(13)	R009 ADMINISTRATIVE ASSISTANT I	2	GRADE	15
16	(14)	A063 PAYROLL OFFICER	1	GRADE	15
17	(15)	A108 ACCOUNTING TECHNICIAN II	2	GRADE	15
18	(16)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE	14
19	(17)	R041 BOOKSTORE OFFICE MANAGER	1	GRADE	14
20	(18)	K153 SECRETARY II	3	GRADE	13
21	(19)	E017 INSTITUTION ASSISTANT LIBRARIAN	1	GRADE	13
22	(20)	G165 WORK MAINTENANCE LEADER	1	GRADE	10
23	(21)	G109 BLDG/EQUIP MAINT REPAIRMAN II	<u>2</u>	GRADE	08
24		MAX. NO. OF EMPLOYEES	69		

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26 SECTION 2. EXTRA HELP. There is hereby authorized, for the Northwest
 27 Technical Institute for the 2007-2009 biennium, the following maximum number
 28 of part-time or temporary employees, to be known as "Extra Help", payable
 29 from funds appropriated herein for such purposes: one hundred seven (107)
 30 temporary or part-time employees, when needed, at rates of pay not to exceed
 31 those provided in the Uniform Classification and Compensation Act, or its
 32 successor, or this act for the appropriate classification.

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34 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the
 35 Northwest Technical Institute, to be payable from the Northwest Technical
 36 Institute Fund, for personal services and operating expenses of the Northwest

1 Technical Institute - State for the biennial period ending June 30, 2009, the
 2 following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 2,336,261	\$ 2,382,986
(02) EXTRA HELP	361,093	361,093
(03) PERSONAL SERVICES MATCHING	778,641	788,791
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	697,548	697,548
(B) CONF. & TRAVEL	11,500	11,500
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,185,043</u>	<u>\$ 4,241,918</u>

17 SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 18 Northwest Technical Institute, to be payable from the federal funds as
 19 designated by the Chief Fiscal Officer of the State, for personal services
 20 and operating expenses of the Northwest Technical Institute - Federal for the
 21 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 92,066	\$ 93,907
(02) EXTRA HELP	30,598	30,598
(03) PERSONAL SERVICES MATCHING	34,948	35,346
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	20,539	20,539
(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>\$ 180,151</u>	<u>\$ 182,390</u>

36 SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the

1 Northwest Technical Institute, to be payable from cash funds as defined by
 2 Arkansas Code 19-4-801 of the Northwest Technical Institute, for personal
 3 services and operating expenses of the Northwest Technical Institute - Cash
 4 for the biennial period ending June 30, 2009, the following:

6 ITEM	FISCAL YEARS	
7 NO.	2007-2008	2008-2009
8 (01) REGULAR SALARIES	\$ 285,878	\$ 291,595
9 (02) EXTRA HELP	562,500	562,500
10 (03) PERSONAL SERVICES MATCHING	139,034	140,273
11 (04) MAINT. & GEN. OPERATION		
12 (A) OPER. EXPENSE	353,500	353,500
13 (B) CONF. & TRAVEL	15,000	15,000
14 (C) PROF. FEES	350,000	350,000
15 (D) CAP. OUTLAY	200,000	200,000
16 (E) DATA PROC.	0	0
17 (05) RESALE	275,000	275,000
18 (06) DEBT SERVICE	<u>57,415</u>	<u>57,415</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,238,327</u>	<u>\$ 2,245,283</u>

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21 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 23 CONTINGENCY. (a) To address needs emerging from the restructuring of the
 24 Technical Institutes, Northwest Technical Institute shall establish and
 25 maintain for the ~~2005-2007~~ 2007-2009 biennium a pool of four (4) unclassified
 26 positions and three (3) classified positions, payable from funds appropriated
 27 for Northwest Technical Institute. These positions are to be used by
 28 Northwest Technical Institute in the event that the number and level of
 29 positions available to address the needs emerging from business and industry
 30 driven program expansions exceeds the number of positions regularly
 31 authorized for Northwest Technical Institute.
 32 (b) Northwest Technical Institute shall provide justification to the
 33 Department of Finance and Administration's Office of Personnel Management
 34 (OPM) for the need to allocate titles from this position pool. No
 35 classifications will be assigned to the pool until such time as specific
 36 positions are requested and justified by Northwest Technical Institute,

1 recommended by OPM and approved by the Legislative Council. Northwest
 2 Technical Institute may transfer positions from this pool to any pay schedule
 3 the agency currently maintains or any pay schedule the agency receives during
 4 the ~~2005-2007~~ 2007-2009 biennium.

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

20 If the agency requests continuation of a "Growth Pool" position(s) as
 21 established herein during the next biennium, the position(s) must be
 22 requested as a new position(s) in the agency's biennial budget request.

23 The provisions of this section shall be in effect only from July 1, ~~2005~~
 24 2007 through June 30, ~~2007~~ 2009.

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

32 The provisions of this section shall be in effect only from July 1, ~~2005~~
 33 2007 through June 30, ~~2007~~ 2009.

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 35 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

1 ADDITIONAL TEACHING LOAD. Instructional staff at Northwest Technical
 2 Institute, may be paid up to forty five dollars (\$45) per clock hour for the
 3 fiscal year ending June 30, ~~2006~~ 2008 and up to fifty dollars (\$50) per clock
 4 hour for the fiscal year ending June 30, ~~2007~~ 2009, for non-credit teaching
 5 assignments; or up to five hundred dollars (\$500) per semester hour for the
 6 fiscal year ending June 30, ~~2006~~ 2008, and up to five hundred fifty dollars
 7 (\$550) per semester hour for the fiscal year ending June 30, ~~2007~~ 2009, for
 8 teaching courses beyond the defined teaching load; and the employee's maximum
 9 allowable salary may be exceeded by such amount; provided, however, that such
 10 additional teaching load may not exceed one hundred fifty (150) clock hours
 11 or nine (9) semester credit hours per school year. Further, the provisions
 12 of this section shall only apply to credit and noncredit courses that are
 13 funded by Private Industry.

14 The provisions of this section shall be in effect only from July 1, 2007
 15 through June 30, 2009.

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 17 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 19 HELP RESTRICTION. No employee at Northwest Technical Institute, who is
 20 employed as "Extra Help" may exceed eighty-five percent (85%) of the maximum
 21 annual salary for a comparable position as authorized under Arkansas Code 21-
 22 5-201 et seq. during any fiscal year, nor shall such employee be employed for
 23 a period of time to exceed fourteen hundred (1400) hours in any single fiscal
 24 year.

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

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

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

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