

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 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1099

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 FISCAL YEAR
12 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.
13
14

Subtitle

15
16 AN ACT FOR THE CROWLEY'S RIDGE
17 TECHNICAL INSTITUTE APPROPRIATION FOR
18 THE 2009-2010 FISCAL YEAR.
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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 Crowley's Ridge Technical Institute for the 2009-2010 fiscal year, the
25 following maximum number of regular employees whose salaries shall be
26 governed by the provisions of the Uniform Classification and Compensation Act
27 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
28 thereto. Provided, however, that any position to which a specific maximum
29 annual salary is set out herein in dollars, shall be exempt from the
30 provisions of said Uniform Classification and Compensation Act. All persons
31 occupying positions authorized herein are hereby governed by the provisions
32 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
33 101), or its successor.
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Maximum Annual
Maximum Salary Rate



Item	Class		No. of	Fiscal Year
No.	Code	Title	Employees	2009-2010
(1)	N150N	TECHNICAL INSTITUTE DIRECTOR	1	GRADE N902
(2)	E009C	TECHNICAL INSTITUTE ASSISTANT DIR	3	GRADE C125
(3)	E018C	SPECIALIZED TECHNICAL FACULTY	4	GRADE C122
(4)	E022C	EDUCATION & INSTRUCTION MANAGER	1	GRADE C121
(5)	E027C	CAREER & TECHNICAL FACULTY	34	GRADE C120
(6)	M020C	LICENSED PROFESSIONAL COUNSELOR	1	GRADE C119
(7)	C035C	ASST REGISTRAR	1	GRADE C115
(8)	S033C	MAINTENANCE SUPERVISOR	1	GRADE C115
(9)	G213C	TECHNICAL INSTITUTE PROGRAM SPEC	1	GRADE C114
(10)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
(11)	A098C	FISCAL SUPPORT SPECIALIST	2	GRADE C112
(12)	S050C	MAINTENANCE SPECIALIST	1	GRADE C112
(13)	A097C	PAYROLL TECHNICIAN	1	GRADE C112
(14)	C073C	ADMINISTRATIVE SPECIALIST II	5	GRADE C109
(15)	S065C	MAINTENANCE ASSISTANT	4	GRADE C108
MAX. NO. OF EMPLOYEES			61	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Crowley's Ridge Technical Institute for the 2009-2010 fiscal year, 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 fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
NO.	2009-2010
(01) REGULAR SALARIES	\$ 2,222,059

1	(02) EXTRA HELP	158,400
2	(03) PERSONAL SERVICES MATCHING	770,017
3	(04) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	748,867
5	(B) CONF. & TRAVEL	5,500
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,904,843</u>

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11 SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 12 Crowley's Ridge Technical Institute, to be payable from the federal funds as
 13 designated by the Chief Fiscal Officer of the State, for personal services
 14 and operating expenses of the Crowley's Ridge Technical Institute - Federal
 15 for the fiscal year ending June 30, 2010, the following:

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17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2009-2010</u>
19	(01) REGULAR SALARIES	\$ 111,996
20	(02) EXTRA HELP	24,000
21	(03) PERSONAL SERVICES MATCHING	41,465
22	(04) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	12,000
24	(B) CONF. & TRAVEL	500
25	(C) PROF. FEES	0
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 189,961</u>

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30 SECTION 5. APPROPRIATION - CASH. There is hereby appropriated, to the
 31 Crowley's Ridge Technical Institute, to be payable from cash funds as defined
 32 by Arkansas Code 19-4-801 of the Crowley's Ridge Technical Institute, for
 33 personal services and operating expenses of the Crowley's Ridge Technical
 34 Institute - Cash for the fiscal year ending June 30, 2010, the following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2009-2010</u>
2	(01) REGULAR SALARIES	\$ 198,539
3	(02) EXTRA HELP	162,631
4	(03) PERSONAL SERVICES MATCHING	76,041
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	350,000
7	(B) CONF. & TRAVEL	17,000
8	(C) PROF. FEES	15,000
9	(D) CAP. OUTLAY	300,000
10	(E) DATA PROC.	0
11	(05) RESALE	210,000
12	(06) DEBT SERVICE	<u>1,000</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,330,211</u>

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15 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
17 CONTINGENCY. (a) To address needs emerging from the restructuring of the
18 Technical Institutes, Crowley's Ridge Technical Institute shall establish and
19 maintain for the ~~2007-2009 biennium~~ 2009-2010 fiscal year a pool of four (4)
20 unclassified positions and four (4) classified positions, payable from funds
21 appropriated for Crowley's Ridge Technical Institute. These positions are to
22 be used by Crowley's Ridge Technical Institute in the event that the number
23 and level of positions available to address the needs emerging from business
24 and industry driven program expansions exceeds the number of positions
25 regularly authorized for Crowley's Ridge Technical Institute.
26 (b) Crowley's Ridge Technical Institute shall provide justification to the
27 Department of Finance and Administration's Office of Personnel Management
28 (OPM) for the need to allocate titles from this position pool. No
29 classifications will be assigned to the pool until such time as specific
30 positions are requested and justified by Crowley's Ridge Technical Institute,
31 recommended by OPM and approved by the Legislative Council. Crowley's Ridge
32 Technical Institute may transfer positions from this pool to any pay schedule
33 the agency currently maintains or any pay schedule the agency receives during
34 the ~~2007-2009 biennium~~ 2009-2010 fiscal year.
35 (c) Determining the number of personnel to be employed by a state agency is
36 the prerogative of the General Assembly and is usually accomplished by

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

14 If the agency requests continuation of a "Growth Pool" position(s) as
 15 established herein during the next ~~biennium~~ fiscal year, the position(s) must
 16 be requested as a new position(s) in the agency's ~~biennial~~ budget request.

17 The provisions of this section shall be in effect only from July 1,
 18 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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

26 The provisions of this section shall be in effect only from July 1,
 27 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

28
 29 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 31 ADDITIONAL TEACHING LOAD. Instructional staff in a postsecondary technical
 32 institute, as authorized for the various technical institutes, may be paid up
 33 to forty five dollars (\$45) per clock hour for the fiscal year ending June
 34 30, ~~2008~~ 2010 and up to fifty dollars (\$50) per clock hour for the fiscal
 35 ~~year ending June 30, 2009~~, for non-credit teaching assignments; or, up to
 36 five hundred dollars (\$500) per semester hour for the fiscal year ending June

1 30, ~~2008~~ 2010, and up to five hundred fifty dollars (\$550) per semester hour
 2 ~~for the fiscal year ending June 30, 2009~~, for teaching courses beyond the
 3 defined teaching load; and the employee's maximum allowable salary may be
 4 exceeded by such amount; provided, however, that such additional teaching
 5 load may not exceed one hundred fifty (150) clock hours or nine (9) semester
 6 credit hours per school year. Further, the provisions of this section shall
 7 only apply to credit and noncredit courses that are funded by Private
 8 Industry.

9 The provisions of this section shall be in effect only from July 1,
 10 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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

20 The provisions of this section shall be in effect only from July 1,
 21 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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

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

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

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6 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General
7 Assembly, that the Constitution of the State of Arkansas prohibits the
8 appropriation of funds for more than a one (1) year period; that the
9 effectiveness of this Act on July 1, 2009 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the Regular Session, the delay in the effective
12 date of this Act beyond July 1, 2009 could work irreparable harm upon the
13 proper administration and provision of essential governmental programs.
14 Therefore, an emergency is hereby declared to exist and this Act being
15 necessary for the immediate preservation of the public peace, health and
16 safety shall be in full force and effect from and after July 1, 2009.

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