

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 1104

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

8  
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE RIVERSIDE  
11 VOCATIONAL TECHNICAL SCHOOL FOR THE FISCAL YEAR  
12 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE RIVERSIDE VOCATIONAL  
16 TECHNICAL SCHOOL APPROPRIATION FOR THE  
17 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 Riverside Vocational Technical School 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	5	GRADE C122
(4)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE C120
(5)	E027C CAREER & TECHNICAL FACULTY	24	GRADE C120
(6)	A091C FISCAL SUPPORT ANALYST	1	GRADE C115
(7)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE C112
(8)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE C109
	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 fiscal year  
 17 ending June 30, 2010, the following:

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ITEM	FISCAL YEAR
NO.	2009-2010
(01) REGULAR SALARIES	\$ 1,535,519
(02) PERSONAL SERVICES MATCHING	516,966
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	213,102
(B) CONF. & TRAVEL	4,000
(C) PROF. FEES	2,200
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,271,787</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 fiscal year ending June 30, 2010, the  
 36 following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REGULAR SALARIES	\$ 55,346
(02) PERSONAL SERVICES MATCHING	<u>17,116</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 72,462</u>

SECTION 4. APPROPRIATION - WORKPLACE TRAINING. There is hereby appropriated, to the Riverside Vocational Technical School, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Riverside Vocational Technical School - Workplace Training for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REGULAR SALARIES	\$ 38,132
(02) PERSONAL SERVICES MATCHING	13,377
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	15,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) EDUCATION GRANTS	<u>250,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 316,509</u>

SECTION 5. 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 ~~2007-2009 biennium~~ 2009-2010 fiscal year a pool of three (3) unclassified instructor 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

1 needs emerging from the increasing number of inmates incarcerated within the  
 2 Arkansas Department of Correction and business and industry driven program  
 3 expansions exceeds the number of positions regularly authorized for Riverside  
 4 Vocational Technical School.

5 (b) Riverside Vocational Technical School shall provide justification to the  
 6 Department of Finance and Administration's Office of Personnel Management  
 7 (OPM) for the need to allocate titles from this position pool. No  
 8 classifications will be assigned to the pool until such time as specific  
 9 positions are requested and justified by Riverside Vocational Technical  
 10 School, recommended by OPM and approved by the Legislative Council.

11 Riverside Vocational Technical School may transfer positions from this pool  
 12 to any pay schedule the agency currently maintains or any pay schedule the  
 13 agency receives during the ~~2007-2009 biennium~~ 2009-2010 fiscal year.

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

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

32 The provisions of this section shall be in effect only from July 1,  
 33 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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35 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME

1 FACULTY. Riverside Vocational Technical School and the Technical Institutes  
 2 are not required to remit a state contribution to the state employee  
 3 insurance trust fund on Workforce Education part-time faculty positions  
 4 unless the position will be utilized for more than 1,000 hours a year.

5 The provisions of this section shall be in effect only from July 1,  
 6 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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 8 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 9 by this act shall be limited to the appropriation for such agency and funds  
 10 made available by law for the support of such appropriations; and the  
 11 restrictions of the State Procurement Law, the General Accounting and  
 12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 13 Procedures and Restrictions Act, or their successors, and other fiscal  
 14 control laws of this State, where applicable, and regulations promulgated by  
 15 the Department of Finance and Administration, as authorized by law, shall be  
 16 strictly complied with in disbursement of said funds.

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 18 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 19 that any funds disbursed under the authority of the appropriations contained  
 20 in this act shall be in compliance with the stated reasons for which this act  
 21 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 22 and Legislative Recommendations contained in the budget manuals prepared by  
 23 the Department of Finance and Administration, letters, or summarized oral  
 24 testimony in the official minutes of the Arkansas Legislative Council or  
 25 Joint Budget Committee which relate to its passage and adoption.

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 27 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
 28 Assembly, that the Constitution of the State of Arkansas prohibits the  
 29 appropriation of funds for more than a one (1) year period; that the  
 30 effectiveness of this Act on July 1, 2009 is essential to the operation of  
 31 the agency for which the appropriations in this Act are provided, and that in  
 32 the event of an extension of the Regular Session, the delay in the effective  
 33 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
 34 proper administration and provision of essential governmental programs.  
 35 Therefore, an emergency is hereby declared to exist and this Act being  
 36 necessary for the immediate preservation of the public peace, health and

safety shall be in full force and effect from and after July 1, 2009.

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