

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: S3/1/99*  
**A Bill**

SENATE BILL 479

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 SERVICES  
10 AND OPERATING EXPENSES FOR THE COTTON BOLL TECHNICAL  
11 INSTITUTE FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 2001; AND FOR OTHER PURPOSES. "  
13

**Subtitle**

14 "AN ACT FOR THE COTTON BOLL TECHNICAL  
15 INSTITUTE APPROPRIATION FOR THE 1999-  
16 2001 BIENNIUM. "  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the Cotton  
23 Boll Technical Institute for the 1999-2001 biennium, the following maximum  
24 number of regular employees whose salaries shall be governed by the provisions  
25 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201  
26 et seq.), or its successor, and all laws amendatory thereto. Provided,  
27 however, that any position to which a specific maximum annual salary is set  
28 out herein in dollars, shall be exempt from the provisions of said Uniform  
29 Classification and Compensation Act. All persons occupying positions  
30 authorized herein are hereby governed by the provisions of the Regular  
31 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
32 successor.  
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34			Maximum Annual
35		Maximum	Salary Rate
36	Item Class	No. of	Fiscal Years

\*KCA045\*

No.	Code	Title	Employees	1999-2000	2000-2001
(1)	9752	VO TECH TECHNICIAN II	1	\$55,729	\$57,289
(2)	9046	WORKFORCE ED FACULTY	34	\$47,143	\$48,463
(3)	9047	WORKFORCE ED PART TIME FACULTY	65	\$12,000	\$12,336
(4)	247Z	ED VO TECH SCHOOL DIRECTOR	1	GRADE 25	
(5)	482Z	ED VO TECH SCHOOL ASST DIR	2	GRADE 23	
(6)	M100	VOCATIONAL COUNSELOR	1	GRADE 21	
(7)	A111	ACCOUNTANT	1	GRADE 18	
(8)	G038	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18	
(9)	R010	ADMINISTRATIVE ASSISTANT II	2	GRADE 17	
(10)	R440	BUSINESS CONTROLLER II	1	GRADE 16	
(11)	A056	INTERNAL AUDITOR	1	GRADE 20	
(12)	A111	ACCOUNTANT	1	GRADE 18	
(12)	K153	SECRETARY II	2	GRADE 13	
(13)	K089	PERSONNEL ASSISTANT	1	GRADE 12	
(14)	G109	BLDG/EQUIP MAINT REPAIRMAN II	2	GRADE 08	
(15)	T061	WATCHMAN	2	GRADE 03	
		MAX. NO. OF EMPLOYEES	119		

SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the Cotton Boll Technical Institute - State for the 1999-2001 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: ten (10) 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 Cotton Boll Technical Institute, to be payable from the Cotton Boll Technical Institute Fund Account, for personal services and operating expenses of the Cotton Boll Technical Institute - State for the biennial period ending June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 1,718,648	\$ 1,767,159

1	(02)	EXTRA HELP	20,719	20,719
2	(03)	PERSONAL SERV MATCHING	549,500	554,647
3	(04)	OVERTIME	5,264	5,264
4	(05)	MAINT. & GEN. OPERATION		
5	(A)	OPER. EXPENSE	524,188	524,188
6	(B)	CONF. & TRAVEL	20,185	20,185
7	(C)	PROF. FEES	0	0
8	(D)	CAP. OUTLAY	0	0
9	(E)	DATA PROC.	0	0
10	(06)	CONTINGENCY	<u>274,613</u>	<u>274,613</u>
11		TOTAL AMOUNT APPROPRIATED	<u>\$ 3,113,117</u>	<u>\$ 3,166,775</u>

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13 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the  
 14 Cotton Boll Technical Institute, to be payable from cash funds as defined by  
 15 Arkansas Code 19-4-801 of the Cotton Boll Technical Institute, for personal  
 16 services and operating expenses of the Cotton Boll Technical Institute - Cash  
 17 for the biennial period ending June 30, 2001, the following:

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19	ITEM	FISCAL YEARS	
20	<u>NO.</u>	<u>1999-2000</u>	<u>2000-2001</u>
21	(01) REGULAR SALARIES	\$ 101,426	\$ 104,264
22	(02) EXTRA HELP	200,000	200,000
23	(03) PERSONAL SERV MATCHING	42,104	42,672
24	(04) MAINT. & GEN. OPERATION		
25	(A) OPER. EXPENSE	300,000	300,000
26	(B) CONF. & TRAVEL	50,000	50,000
27	(C) PROF. FEES	80,000	80,000
28	(D) CAP. OUTLAY	200,000	200,000
29	(E) DATA PROC.	0	0
30	(05) RESALE	200,000	200,000
31	(06) CONTINGENCY	500,000	500,000
32	(07) CAPITAL IMPROVEMENTS	<u>200,000</u>	<u>200,000</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,873,530</u>	<u>\$ 1,876,936</u>

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35 SECTION 5. APPROPRIATION - FEDERAL. There is hereby appropriated, to the  
 36 Cotton Boll Technical Institute, to be payable from the federal funds as

1 designated by the Chief Fiscal Officer of the State, for personal services and  
 2 operating expenses of the Cotton Boll Technical Institute for the biennial  
 3 period ending June 30, 2001, the following:

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5 ITEM	6 FISCAL YEARS	
7 NO.	1999-2000	2000-2001
8 (01) EXTRA HELP	\$ 27,970	\$ 27,970
9 (02) PERSONAL SERV MATCHING	2,140	2,140
10 (03) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE	25,366	25,366
12 (B) CONF. & TRAVEL	0	0
13 (C) PROF. FEES	1,250	1,250
14 (D) CAP. OUTLAY	0	0
15 (E) DATA PROC.	<u>0</u>	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u>\$ 56,726</u>	<u>\$ 56,726</u>

17 SECTION 6. EXTRA HELP - CASH. There is hereby authorized, for the Cotton  
 18 Boll Technical Institute - Cash for the 1999-2001 biennium, the following  
 19 maximum number of part-time or temporary employees, to be known as "Extra  
 20 Help", payable from funds appropriated herein for such purposes: forty two  
 21 (42) temporary or part-time employees, when needed, at rates of pay not to  
 22 exceed those provided in the Uniform Classification and Compensation Act, or  
 23 its successor, or this act for the appropriate classification.

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25 SECTION 7. EXTRA HELP - FEDERAL. There is hereby authorized, for the  
 26 Cotton Boll Technical Institute - Federal for the 1999-2001 biennium, the  
 27 following maximum number of part-time or temporary employees, to be known as  
 28 "Extra Help", payable from funds appropriated herein for such purposes: five  
 29 (5) temporary or part-time employees, when needed, at rates of pay not to  
 30 exceed those provided in the Uniform Classification and Compensation Act, or  
 31 its successor, or this act for the appropriate classification.

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33 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 34 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
 35 LANGUAGE- CONTINGENCY. (a) To address needs emerging from the restructuring of  
 36 the Technical Institutes, Cotton Boll Technical Institute shall establish and

1 maintain for the 1999-2001 biennium a pool of five (5) unclassified positions  
2 and four (4) classified positions, payable from funds appropriated for Cotton  
3 Boll Technical Institute. These positions are to be used by Cotton Boll  
4 Technical Institute in the event that the number and level of positions  
5 available to address the needs emerging from business and industry driven  
6 program expansions exceeds the number of positions regularly authorized for  
7 Cotton Boll Technical Institute.

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9 (b) Cotton Boll Technical Institute shall provide justification to the  
10 Department of Finance and Administration's Office of Personnel Management  
11 (OPM) for the need to allocate titles from this position pool. No  
12 classifications will be assigned to the pool until such time as specific  
13 positions are requested and justified by Cotton Boll Technical Institute,  
14 recommended by OPM and approved by the Legislative Council. Cotton Boll  
15 Technical Institute may transfer positions from this pool to any pay schedule  
16 the agency currently maintains or any pay schedule the agency receives during  
17 the 1999-2001 biennium.

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

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35 SECTION 9. CONTINGENCY APPROPRIATION. There is hereby appropriated to the  
36 Cotton Boll Technical Institute to be payable from the Cotton Boll Technical

1 Institute's accounts for any program, as designated by the Chief Fiscal  
2 Officer of the State, for salary and matching.

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4 ITEM.	FISCAL YEARS	
5 <u>NO</u>	1999-00	2000-01
6 (01) Contingency	<u>\$435,794</u>	<u>\$435,794</u>

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8 SECTION 10. 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 Purchasing Law, the General Accounting and Budgetary  
12 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures  
13 and Restrictions Act, or their successors, and other fiscal control laws of  
14 this State, where applicable, and regulations promulgated by the Department of  
15 Finance and Administration, as authorized by law, shall be strictly complied  
16 with in disbursement of said funds.

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18 SECTION 11. 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 Joint  
25 Budget Committee which relate to its passage and adoption.

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27 SECTION 12. CODE. All provisions of this Act of a general and permanent  
28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
29 Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 13. SEVERABILITY. If any provision of this act or the application  
32 thereof to any person or circumstance is held invalid, such invalidity shall  
33 not affect other provisions or applications of the act which can be given  
34 effect without the invalid provision or application, and to this end the  
35 provisions of this act are declared to be severable except that provided in  
36 Section 8 (c) herein.

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SECTION 14. GENERAL REPEALER. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 15. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second 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, 1999 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, 1999 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, 1999.

*/s/ Russ*