

Stricken language will be deleted and underlined language will be added.

State of Arkansas
90th General Assembly
Fiscal Session, 2016

A Bill

HOUSE BILL 1065

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE NATIONAL PARK COLLEGE
FOR THE FISCAL YEAR ENDING JUNE 30, 2017; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE NATIONAL PARK COLLEGE
APPROPRIATION FOR THE 2016-2017 FISCAL
YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby
established for the National Park College for the 2016-2017 fiscal year, the
following maximum number of regular employees.

Item No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
<u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u>			
(1)	President, NPC	1	\$159,215
(2)	Chief Academic Officer	1	\$127,790
(3)	Chief Fiscal Officer	1	\$119,835
(4)	Chief Student Life Officer	1	\$119,835
(5)	Chief Planning and Development Officer	1	\$119,835



(6)	Associate Dean of Instruction	2	\$113,175
(7)	Director of Community Services	1	\$113,175
(8)	Director of Institutional Research	1	\$101,534
(9)	Director of Human Resources	1	\$101,534
(10)	Dean of Learning	1	\$99,310
(11)	Counselor	3	\$97,537
(12)	Dir. of Public Relations/Marketing	1	\$93,514
(13)	Director of Financial Aid	1	\$93,441
(14)	Director of Computer Services	1	\$91,769
(15)	Director of Administrative Computing	1	\$91,769
(16)	Controller	1	\$89,638
(17)	Business Manager	1	\$89,638
(18)	Director of Student Affairs	1	\$87,951
(19)	Director of Development	1	\$86,788
(20)	Director of Physical Plant	1	\$86,518
(21)	Director of Enrollment Management	1	\$85,256
(22)	Director of Career Planning/Placement	1	\$79,904
(23)	Assistant to the President	1	\$79,904
(24)	Project/Program Manager	8	\$77,455
(25)	Project/Program Specialist	3	\$69,922
(26)	Workforce Specialist	2	\$71,182
(27)	Dir. of Admin. Support Services	1	\$62,323
(28)	Academic Advisor	3	\$60,205

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(29)	Systems Analyst	1	GRADE C122
(30)	Accounting Coordinator	1	GRADE C121
(31)	Software Support Analyst	1	GRADE C121
(32)	Grants Coordinator	1	GRADE C119
(33)	Procurement Coordinator	1	GRADE C119
(34)	Payroll Services Coordinator	1	GRADE C119
(35)	Network Support Analyst	3	GRADE C118
(36)	Website Developer	1	GRADE C118
(37)	Human Resources Analyst	1	GRADE C117
(38)	Information Systems Analyst	1	GRADE C117
(39)	Maintenance Coordinator	1	GRADE C117

(40)	Accountant I	1	GRADE C116
(41)	HEI Program Coordinator	5	GRADE C116
(42)	Assistant Registrar	1	GRADE C115
(43)	Financial Aid Analyst	5	GRADE C115
(44)	Maintenance Supervisor	1	GRADE C115
(45)	Computer Support Technician	1	GRADE C115
(46)	Fiscal Support Analyst	1	GRADE C115
(47)	Computer Operator	3	GRADE C114
(48)	Commercial Graphic Artist	1	GRADE C114
(49)	Human Resources Specialist	2	GRADE C113
(50)	Multimedia Specialist	2	GRADE C113
(51)	Student Recruitment Specialist	1	GRADE C113
(52)	Administrative Support Supervisor	2	GRADE C113
(53)	Administrative Specialist III	11	GRADE C112
(54)	Assistant Bookstore Manager	1	GRADE C112
(55)	Fiscal Support Specialist	3	GRADE C112
(56)	Maintenance Specialist	3	GRADE C112
(57)	Computer Lab Technician	2	GRADE C110
(58)	Student Account Specialist	1	GRADE C110
(59)	Landscape Specialist	1	GRADE C110
(60)	Administrative Specialist II	13	GRADE C109
(61)	Library Technician	2	GRADE C109
(62)	Admissions Analyst	1	GRADE C109
(63)	Maintenance Assistant	5	GRADE C108
(64)	Institutional Services Supervisor	1	GRADE C104
(65)	Institutional Services Assistant	11	GRADE C103

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(66)	Division Chairperson	7	\$111,837
(67)	Division Chairperson/Dean	1	\$111,837
(68)	Librarian	2	\$101,534
(69)	Director of Adult Education	1	\$97,539

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(70)	Faculty	112	\$85,186
(71)	Part-Time Faculty	122	\$42,873

TWELVE MONTH AUXILIARY ENTERPRISES

NON-CLASSIFIED POSITIONS

(72) Campus Store Manager 1 \$80,237

TWELVE MONTH AUXILIARY ENTERPRISES

CLASSIFIED POSITIONS

(73) Retail Specialist 1 GRADE C109

MAX. NO. OF EMPLOYEES 384

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the National Park College for the 2016-2017 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: four hundred two (402) 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 OPERATIONS. There is hereby appropriated, to the National Park College, to be payable from the National Park College Fund, for personal services and operating expenses of the National Park College for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$8,383,384
(02) PERSONAL SERVICES MATCHING	2,100,000
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	925,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) FUNDED DEPRECIATION	<u>26,175</u>
TOTAL AMOUNT APPROPRIATED	<u>\$11,434,559</u>

SECTION 4. APPROPRIATION - CASH FUNDS. There is hereby appropriated, to the National Park College, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the National Park College, for personal services and operating expenses of the National Park College for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$9,626,240
(02) EXTRA HELP	1,265,000
(03) PERSONAL SERVICES MATCHING	1,310,904
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	7,902,856
(B) CONF. & TRAVEL	300,000
(C) PROF. FEES	2,200,000
(D) CAP. OUTLAY	10,500,000
(E) DATA PROC.	0
(05) CAPITAL IMPROVEMENTS	10,000,000
(06) DEBT SERVICE	1,900,000
(07) FUND TRANSFERS, REFUNDS AND INVESTMENTS	1,000,000
(08) PROMOTIONAL ITEMS	<u>10,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$46,015,000</u>

SECTION 5. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-5-302 is amended to read as follows:

6-5-302. Allocation and transfer of funds.

From the moneys accruing to the Educational Excellence Trust Fund, the Treasurer of State on the last day of the month shall transfer to the various funds and fund accounts listed below, the amounts determined by applying each fund or fund account's proportionate part of the total of all such allocations set forth in this section to the amount available for distribution as determined in § 6-5-301:

Fund or Fund Accounts	FISCAL YEAR ENDING	
	June 30, 2002	June 30, 2003 & Thereafter
Department of Education Public School Fund Account	\$161,935,727	\$164,138,382
Department of Career Education Public School Fund Account	9,518,065	10,032,555
Department of Education Fund Account	762,901	804,138
Department of Career Education Fund Account	2,856,557	3,010,965
Higher Education Grants Fund Account	10,499,767	11,067,322
School for Math, Science, and Arts Fund	0	5,988,465
Institutions of Higher Education:		
Arkansas State University Fund	4,797,713	5,057,049
Arkansas Tech University Fund	1,608,226	1,695,157
Henderson State University Fund	1,663,634	1,753,560
Southern Arkansas University Fund	983,576	1,036,743
University of Arkansas Fund	11,905,301	12,548,830
University of Arkansas at Little Rock Fund	4,224,809	4,453,177
University of Arkansas Medical Center Fund	7,274,293	7,667,498
University of Arkansas Medical Center Fund - Indigent Care	181,013	190,797
University of Arkansas at Monticello Fund	848,858	894,742
University of Arkansas at Pine Bluff Fund	1,473,599	1,553,253
University of Central Arkansas Fund	3,661,359	3,859,270
Arkansas State University-Beebe Fund	1,144,646	1,206,518
East Arkansas Community College Fund	599,022	631,401
National Park Community College Fund	895,921	944,349
Arkansas Northeastern College Fund	573,810	604,827
North Arkansas College Fund	353,775	372,898
Northwest Arkansas Community College Fund	791,763	834,561
Phillips Community College of Univ. of Ark. Fund	583,366	614,899
Rich Mountain Community College Fund	158,120	166,667
SAU-Tech Fund	256,801	270,683
South Arkansas Community College Fund	409,688	431,833
University of Arkansas at Fort Smith Fund	2,437,691	2,569,458
TOTAL INSTITUTIONS OF HIGHER EDUCATION	\$46,826,984	\$49,358,170

SECTION 6. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 6, Chapter 58 is amended to read as follows:

Chapter 58 – National Park ~~Community~~ College

6-58-101. Definitions.

As used in this chapter:

(1) “Adult education program” means any classes designed to assist students in preparing for a high school equivalency test, any class designed to improve performance in general basic skills, parenting, English proficiency, or other areas funded by the Adult Education Section of the Department of Career Education; and

(2) “Applied general education courses” means courses from mathematics, communications, social sciences, and similar fields specifically addressing the employment needs of students in one (1) or more occupational programs.

6-58-102. Name change and merger.

(a) Effective July 1, 2003, Garland County Community College is renamed National Park ~~Community~~ College, and the Garland County Community College District is renamed National Park ~~Community~~ College District.

(b) Effective July 1, 2003, Quapaw Technical Institute is merged with and into National Park ~~Community~~ College.

(c) National Park ~~Community~~ College is an institution of higher education and is subject to the laws governing community colleges, except as otherwise provided in this chapter.

6-58-103. Board of trustees.

(a)(1) The board member of Quapaw Technical Institute serving on June 30, 2003, and whose term is to expire in 2003, shall become a member of the Board of Trustees of National Park ~~Community~~ College on July 1, 2003, and the term of the board member shall expire on December 31, 2004.

(2) The board members of the Quapaw Technical Institute serving on June 30, 2003, and whose terms are to expire in 2004 and 2005 shall become members of the Board of Trustees of National Park ~~Community~~ College on July 1, 2003, and their terms shall expire on December 31, 2006.

(3) The board members of Quapaw Technical Institute serving on June 30, 2003, and whose terms are to expire in 2006 and 2007 shall become

members of the Board of Trustees of National Park ~~Community~~ College on July 1, 2003, and their terms shall expire on December 31, 2008.

(b)(1) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2004, shall become members of the Board of Trustees of National Park ~~Community~~ College on July 1, 2003, and their terms shall expire on December 31, 2004.

(2) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2006, shall become members of the Board of Trustees of National Park ~~Community~~ College on July 1, 2003, and their terms shall expire on December 31, 2006.

(3) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2008, shall become members of the Board of Trustees of National Park ~~Community~~ College on July 1, 2003, and their terms shall expire on December 31, 2008.

(c)(1) Three (3) trustees of National Park ~~Community~~ College shall be elected at the 2004 general election in the same manner and for the same terms as prescribed in § 6-61-520.

(2) Three (3) trustees of National Park ~~Community~~ College shall be elected at the 2006 general election in the same manner and for the same terms as prescribed in § 6-61-520.

(3) Three (3) trustees of National Park ~~Community~~ College shall be elected at the 2008 general election in the same manner and for the same terms as prescribed in § 6-61-520.

(d) No vacancy on the Board of Trustees of National Park ~~Community~~ College shall be filled until the number of remaining board members of National Park ~~Community~~ College with terms expiring on the same date equals two (2) or fewer.

6-58-104. Effect of merger on employees.

(a)(1) All permanent nonprobationary employees of Quapaw Technical Institute or Garland County Community College on June 30, 2003, shall become employees of National Park ~~Community~~ College on July 1, 2003.

(2) A person who was a permanent nonprobationary employee of Quapaw Technical Institute or Garland County Community College on June 30, 2003, shall be employed by National Park ~~Community~~ College at least until July 1, 2008, if:

- (A) Job performance is satisfactory;
- (B) Student enrollment in programs is satisfactory; and
- (C) Student job placements are satisfactory.

(b)(1)(A) By January 31, 2004, employees who were employed on June 30, 2003, by Garland County Community College or Quapaw Technical Institute shall have the right to make a one-time choice between:

(i) The National Park ~~Community~~ College Health Insurance Plan, which was formerly known as Garland County Community College Health Insurance Plan; or

(ii) The health insurance plan adopted by the State and Public School Life and Health Insurance Board for state employees.

(B) An employee who was employed by Quapaw Technical Institute on June 30, 2003, shall be entitled to remain in his or her same retirement system under the same conditions then provided by law or as may later be provided by law.

(2) The Board of Trustees of National Park ~~Community~~ College shall promulgate rules and regulations establishing the procedure for employees to exercise benefit options under this subsection.

(c)(1) Until the later of July 1, 2008, or the date a reorganization that guarantees the importance and position of technical education is adopted by the Board of Trustees of National Park ~~Community~~ College, the President of the Quapaw Technical Institute as of June 30, 2003, shall be the Vice President for Technical Education at National Park ~~Community~~ College.

(2) The employee who was the President of the Quapaw Technical Institute as of June 30, 2003, shall retain and continue to receive:

(A) All options, rights, and benefits of employment granted in subsection (b) of this section; and

(B) Any transportation benefits that accompanied the position of President of the Quapaw Technical Institute.

(d) An employee who was a member of the faculty of Quapaw Technical Institute on June 30, 2003, shall be deemed qualified to teach in the same level programs at National Park ~~Community~~ College if:

- (1) The faculty member's job performance is satisfactory;
- (2) Student enrollment is satisfactory; and
- (3) Student job placements are satisfactory.

6-58-105. Sick leave.

The employees of National Park ~~Community~~ College shall be entitled to lump sum payment for unused sick leave under a program similar to that authorized by §§ 21-4-501 and 21-4-502 [repealed].

6-58-106. Catastrophic leave program.

National Park ~~Community~~ College shall establish a catastrophic leave program for all permanent employees. The program shall be similar to that authorized under § 21-4-214.

6-58-107. Effect of merger on curriculum.

(a)(1) National Park ~~Community~~ College shall offer the option of:

(A) Applied general education courses in occupational certificate and associate degree programs now offered by Quapaw Technical Institute; and

(B) Where appropriate to the program involved, programs now offered by Garland County Community College.

(2) Students in the programs involved also may be offered the options of college transfer general education courses in addition to the option of applied general education courses.

(b) Without regard to the higher average cost of occupational programs, all current Quapaw Technical Institute programs shall continue to be offered by National Park ~~Community~~ College for as long as they meet industry needs and are fiscally effective.

(c) All adult basic education, high school equivalency tests, and high school programs currently provided by Quapaw Technical Institute or the Garland County Community College shall continue at National Park ~~Community~~ College.

(d) Existing certificate and degree programs now offered at Quapaw Technical Institute or Garland County Community College shall continue to be authorized for National Park ~~Community~~ College until the Arkansas Higher Education Coordinating Board determines that the programs do not meet minimum standards of quality and cost-effectiveness.

6-58-108. Purchasing.

(a) Purchases by National Park ~~Community~~ College shall continue to be made under procedures which were applicable to Garland County Community College or may be made under procedures that were applicable to Quapaw Technical Institute.

(b) Flexibility in shop purchases, parts, and house construction programs shall continue in the same manner as authorized for the original institutions.

6-58-109. Transfer of assets, obligations, records, personnel, property, unexpended balances, and legal authority.

(a) On July 1, 2003, all property and other rights, claims, and assets of the Quapaw Technical Institute are transferred to National Park ~~Community~~ College.

(b) On July 1, 2003, all obligations of the Quapaw Technical Institute become obligations of National Park ~~Community~~ College.

(c) On July 1, 2003, all records, personnel, property, unexpended balances of appropriations and funds, and all legal authority will transfer from the Quapaw Technical Institute to National Park ~~Community~~ College.

(d) All cash fund balances of Quapaw Technical Institute transferred to National Park ~~Community~~ College shall be used for the operation, support, and improvement of occupational, vocational, technical, and work force development programs of National Park ~~Community~~ College.

6-58-110. Work Force 2000 funding.

Funding from the Work Force 2000 Development Fund which would have been provided to Quapaw Technical Institute shall be provided to National Park ~~Community~~ College to fund work force development, vocational, occupational, and training programs offered by National Park ~~Community~~ College.

6-58-111. Funding for salary equity.

In that funding for and achievement of salary equity among employees of National Park ~~Community~~ College is essential for the successful merger of Quapaw Technical Institute into National Park ~~Community~~ College, this chapter shall become void if, prior to May 1, 2003, the board of either Garland County Community College or Quapaw Technical Institute determines that funds are not available to achieve salary equity.

6-58-112. Conversion of positions and maximum salaries for Quapaw Technical Institute.

The maximum salaries as authorized for the positions in the appropriations act for Quapaw Technical Institute shall be converted to the maximum salaries for the equivalent or similar positions as authorized in the appropriations act for Garland County Community College. The conversion of the maximum salaries shall be approved by the Department of Higher Education for line item salaries or by the Department of Finance and Administration for classified salaries and be reported to the Legislative Council.

6-58-113. Employee health insurance plan.

(a) The Board of Trustees of National Park ~~Community~~ College may determine each year whether to offer employees of National Park ~~Community~~ College more than one (1) health insurance plan from which to choose.

(b) If more than one (1) health insurance plan is authorized by the Board of Trustees of National Park ~~Community~~ College, a permanent employee of the college may annually elect to enroll in:

(1) The National Park ~~Community~~ College Health Insurance Plan, if a plan is adopted by the Board of Trustees of National Park ~~Community~~ College; or

(2) The health insurance plan adopted by the State and Public School Life and Health Insurance Board for state employees, if the Board of Trustees of National Park ~~Community~~ College authorizes college employees to participate in the plan subject to the conditions and rates established by the State and Public School Life and Health Insurance Board.

(c) The election under subsection (b) of this section must be made:

(1) At the time of initial employment by the college; or

(2) During the applicable annual open enrollment period for the health insurance plan.

(d) An election under subsection (b) of this section is effective for the health insurance plan year and may not be altered until the following annual open enrollment period for the health insurance plan.

SECTION 7. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-61-1201(a), concerning the creation, duties, and funding of the Southwest

Arkansas Higher Education Consortium, is amended to read as follows:

(a) There is created the Southwest Arkansas Higher Education Consortium, composed of Cossatot Community College of the University of Arkansas, National Park ~~Community~~ College, Henderson State University, Ouachita Technical College, Pulaski Technical College, Rich Mountain Community College, Southern Arkansas University, SAU-Tech, and South Arkansas Community College, to establish and utilize high bandwidth connectivity within the consortium.

SECTION 8. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-62-314 is amended to read as follows:

6-62-314. Construction project exemption.

The following state-supported institutions of higher education shall be exempt as allowed by § 19-4-1415(b)(5) for construction projects exceeding five million dollars (\$5,000,000) if they have adopted policies and procedures in compliance with state law involving the awarding and oversight of the contracts for design and construction services:

- (1) Henderson State University;
- (2) Southern Arkansas University – Magnolia;
- (3) University of Central Arkansas;
- (4) Mid-South Community College;
- (5) National Park ~~Community~~ College;
- (6) Northwest Arkansas Community College; and
- (7) Rich Mountain Community College.

SECTION 9. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-63-305(b)(9), concerning the maximum number of new additional positions, is amended to read as follows:

(9) National Park ~~Community~~ College 40

SECTION 10. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 19-4-906(a)(099), concerning the maximum number of passenger motor vehicles, is amended to read as follows:

(099) National Park ~~Community~~ College 17

SECTION 11. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 19-5-

303(ee), concerning institutions of higher education funds, is amended to read as follows:

(ee)(1) National Park ~~Community~~ College Fund. There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "National Park ~~Community~~ College Fund".

(2) The National Park ~~Community~~ College Fund shall be used for the maintenance, operation, and improvement of National Park ~~Community~~ College.

(3) The National Park ~~Community~~ College Fund shall consist of:

(A) Those general revenues transferred each month from the Garland County Community College Fund;

(B) The June 30, 2003, balances in the Garland County Community College Fund; and

(C) Any other funds made available for the support of National Park ~~Community~~ College which are required to be deposited into the State Treasury by law.

SECTION 12. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 19-11-220(a)(21), concerning agency procurement officials, is amended to read as follows:

(21) National Park ~~Community~~ College;

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

SECTION 14. 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 15. 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 one (1) year period; that the effectiveness of this Act on July 1, 2016 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 legislative session, the delay in the effective date of this Act beyond July 1, 2016 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, 2016.