

**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 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: H3/29/01*

# A Bill

**Act 1577 of 2001**  
HOUSE BILL 1753

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

9 AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY  
10 OF ARKANSAS FOR MEDICAL SCIENCES FOR PERSONAL  
11 SERVICES AND OPERATING EXPENSES FOR OPERATIONS OF  
12 THE ARKANSAS BIOSCIENCES INSTITUTE; AND FOR OTHER  
13 PURPOSES.  
14

## **Subtitle**

15 AN ACT FOR THE UNIVERSITY OF ARKANSAS  
16 FOR MEDICAL SCIENCES – ARKANSAS  
17 BIOSCIENCES INSTITUTE APPROPRIATION.  
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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 – UNIVERSITY OF ARKANSAS FOR MEDICAL  
24 SCIENCES – ARKANSAS BIOSCIENCES INSTITUTE - OPERATIONS. There is hereby  
25 established for the University of Arkansas for Medical Sciences – Arkansas  
26 Biosciences Institute, for the 2001-03 biennium, the following maximum number  
27 of regular employees whose salaries shall be governed by the provisions of  
28 the Uniform Classification and Compensation Act (Arkansas Code §21-5-201 et  
29 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
30 that any position to which a specific maximum annual salary is set out herein  
31 in dollars, shall be exempt from the provisions of said Uniform  
32 Classification and Compensation Act. All persons occupying positions  
33 authorized herein are hereby governed by the provisions of the Regular  
34 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
35 successor.  
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Item	No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2001-2002	2002-2003
<u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u>					
(1)		Director of the Biosciences Institute	1	\$200,000	\$205,200
<u>TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS</u>					
(2)		Faculty Pool	24		
		Professor		\$126,741	\$130,036
		Associate Professor		\$116,700	\$119,734
		Assistant Professor		\$110,003	\$112,863
		Instructor		\$ 87,740	\$ 90,021
(3)		Post Doctoral Fellow	6	\$ 62,365	\$ 63,986
(4)		Graduate Assistant	4	\$ 29,009	\$ 29,763
<u>TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS</u>					
(5)		Research Technologist I	12		GRADE 18
(6)		Research Technician	<u>12</u>		GRADE 13
		MAX. NO. OF EMPLOYEES	59		

SECTION 2. APPROPRIATION – ARKANSAS BIOSCIENCES INSTITUTE. There is hereby appropriated, to the University of Arkansas for Medical Sciences – Arkansas Biosciences Institute, to be payable from the Arkansas Biosciences Institute Program Account of the Tobacco Settlement Program Fund, for personal services and maintenance and operations of the University of Arkansas for Medical Sciences - Arkansas Biosciences Institute, for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 912,000	\$ 1,967,200
(02) PERSONAL SERV MATCHING	183,400	394,700
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	249,040	524,144

1	(B) CONF. & TRAVEL	40,000	60,000
2	(C) PROF. FEES	200,000	300,000
3	(D) CAP. OUTLAY	200,000	1,000,000
4	(E) DATA PROC.	0	0
5	(04) ARKANSAS CHILDREN'S HOSPITAL		
6	RESEARCH PROGRAM	<u>767,220</u>	<u>1,994,772</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$2,551,660</u>	<u>\$6,240,816</u>

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 9 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
 11 FORWARD. Such appropriation as is authorized in this Act which remains at the  
 12 end of the first fiscal year of the biennium may be carried forward into the  
 13 second fiscal year of the biennium there to be used for the same purposes.

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 15 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
 17 CHILDREN'S HOSPITAL RESEARCH PROGRAM. In any fiscal year, if the funds  
 18 received by the University of Arkansas for Medical Sciences for the Arkansas  
 19 Biosciences Institute under Section 2 of this Act are less than the total  
 20 amount appropriated, the University of Arkansas for Medical Sciences shall  
 21 provide no less than thirty-three and one-third percent (33 and 1/3%) of the  
 22 available funds for the Arkansas Children's Hospital Research Program line  
 23 item. Otherwise, the Arkansas Children's Hospital Research Program line item  
 24 appropriation under Section 2 of this Act shall be funded in total.

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 26 SECTION 5. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 28 RESTRICTIONS. The appropriations provided in this act shall not be  
 29 transferred under the provisions of Arkansas Code 19-4-522 or the provisions  
 30 of Arkansas Code 6-62-104, but only as provided by this act.

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 32 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 34 PROVISIONS. The state-supported institution of higher education in this act  
 35 may transfer appropriations between the various line items within each  
 36 appropriation contained in this appropriation act. Such transfers shall be

1 made only after the approval of the Department of Higher Education and the  
 2 Chief Fiscal Officer of the State, and the approval of the Legislative  
 3 Council.

4 The General Assembly has determined that the institution in this act  
 5 could be operated more efficiently if some flexibility is given to that  
 6 institution and that flexibility is being accomplished by providing authority  
 7 to transfer between items of appropriation made by this act. Since the  
 8 General Assembly has granted the institution broad powers under the transfer  
 9 of appropriations, it is both necessary and appropriate that the General  
 10 Assembly maintain oversight of the utilization of the transfers by requiring  
 11 prior approval of the Legislative Council in the utilization of the transfer  
 12 authority. Therefore, the requirement of approval by the Legislative Council  
 13 is not a severable part of this section. If the requirement of approval by  
 14 the Legislative Council is ruled unconstitutional by a court jurisdiction,  
 15 this entire section is void.

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 17 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS.  
 19 Nothing in this act shall be construed as a commitment of the State of  
 20 Arkansas or any of its agencies or institutions to continue funding any  
 21 position paid from the proceeds of the Tobacco Settlement in the event that  
 22 Tobacco Settlement funds are not sufficient to finance the position.

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 24 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 26 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act  
 27 shall be limited to the appropriation for such agency and funds made  
 28 available by law for the support of such appropriations; and the restrictions  
 29 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
 30 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
 31 Restrictions Act, or their successors, and other fiscal control laws of this  
 32 State, where applicable, and regulations promulgated by the Department of  
 33 Finance and Administration, as authorized by law, shall be strictly complied  
 34 with in disbursement of said funds.

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 36 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations  
2 contained in this act shall be in compliance with the stated reasons for  
3 which this act was adopted, as evidenced by Initiated Act 1 of 2000, the  
4 Agency Requests, Executive Recommendations and Legislative Recommendations  
5 contained in the budget manuals prepared by the Department of Finance and  
6 Administration, letters, or summarized oral testimony in the official minutes  
7 of the Arkansas Legislative Council or Joint Budget Committee which relate to  
8 its passage and adoption.

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10 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
11 Eighty-third General Assembly, that the Constitution of the State of Arkansas  
12 prohibits the appropriation of funds for more than a two (2) year period;  
13 that the effectiveness of this Act on July 1, 2001 is essential to the  
14 operation of the agency for which the appropriations in this Act are  
15 provided, and that in the event of an extension of the Regular Session, the  
16 delay in the effective date of this Act beyond July 1, 2001 could work  
17 irreparable harm upon the proper administration and provision of essential  
18 governmental programs. Therefore, an emergency is hereby declared to exist  
19 and this Act being necessary for the immediate preservation of the public  
20 peace, health and safety shall be in full force and effect from and after  
21 July 1, 2001.

22 */s/ Joint Budget Committee*

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25 APPROVED: 4/13/2001  
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