

**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: H3/28/01*

# A Bill

**Act 1578 of 2001**  
HOUSE BILL 1754

5 By: Joint Budget Committee  
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7

## **For An Act To Be Entitled**

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

## **Subtitle**

14 AN ACT FOR THE UNIVERSITY OF ARKANSAS –  
15 ARKANSAS BIOSCIENCES INSTITUTE  
16 APPROPRIATION.  
17  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. EXTRA HELP – UNIVERSITY OF ARKANSAS – ARKANSAS BIOSCIENCES  
23 INSTITUTE - OPERATIONS. There is hereby authorized, for the University of  
24 Arkansas – Arkansas Biosciences Institute, for the 2001-2003 biennium, the  
25 following maximum number of part-time or temporary employees, to be known as  
26 “Extra Help”, payable from funds appropriated for such purposes: one-hundred  
27 (100) temporary or part-time employees, when needed, at rates of pay not to  
28 exceed those provided in the Uniform Classification and Compensation Act, or  
29 its successor, or this act for the appropriate classification.  
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31 SECTION 2. APPROPRIATION – ARKANSAS BIOSCIENCES INSTITUTE. There is  
32 hereby appropriated, to the University of Arkansas – Arkansas Biosciences  
33 Institute, to be payable from the Arkansas Biosciences Institute Program  
34 Account of the Tobacco Settlement Program Fund, for personal services and  
35 maintenance and operations of the University of Arkansas - Arkansas  
36 Biosciences Institute, for the biennial period ending June 30, 2003, the

1 fol lowi ng:  
2

3 I T E M	F I S C A L Y E A R S	
4 <u>NO.</u>	2001-2002	2002-2003
5 (01) REGULAR SALARI ES	\$ 131,584	\$ 319,312
6 (02) EXTRA HELP	105,268	255,450
7 (03) PERSONAL SERV MATCHI NG	69,558	154,424
8 (04) MAI NT. & GEN. OPERATION		
9 (A) OPER. EXPENSE	154,136	385,872
10 (B) CONF. & TRAVEL	0	0
11 (C) PROF. FEES	0	0
12 (D) CAP. OUTLAY	416,684	1,165,742
13 (E) DATA PROC.	<u>0</u>	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u>\$ 877,230</u>	<u>\$ 2,280,800</u>

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16 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
18 FORWARD. Such appropriation as is authorized in this Act which remains at the  
19 end of the first fiscal year of the biennium may be carried forward into the  
20 second fiscal year of the biennium there to be used for the same purposes.  
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22 SECTION 4. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
24 RESTRICTIONS. The appropriations provided in this act shall not be  
25 transferred under the provisions of Arkansas Code 19-4-522 or the provisions  
26 of Arkansas Code 6-62-104, but only as provided by this act.  
27

28 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
30 PROVISIONS. The state-supported institution of higher education in this act  
31 may transfer appropriations between the various line items within each  
32 appropriation contained in this appropriation act. Such transfers shall be  
33 made only after the approval of the Department of Higher Education and the  
34 Chief Fiscal Officer of the State, and the approval of the Legislative  
35 Council.

36 The General Assembly has determined that the institution in this act

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

12  
 13 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS.  
 15 Nothing in this act shall be construed as a commitment of the State of  
 16 Arkansas or any of its agencies or institutions to continue funding any  
 17 position paid from the proceeds of the Tobacco Settlement in the event that  
 18 Tobacco Settlement funds are not sufficient to finance the position.

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

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 32 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General  
 33 Assembly that any funds disbursed under the authority of the appropriations  
 34 contained in this act shall be in compliance with the stated reasons for  
 35 which this act was adopted, as evidenced by Initiated Act 1 of 2000, the  
 36 Agency Requests, Executive Recommendations and Legislative Recommendations

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

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6 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
7 Eighty-third General Assembly, that the Constitution of the State of Arkansas  
8 prohibits the appropriation of funds for more than a two (2) year period;  
9 that the effectiveness of this Act on July 1, 2001 is essential to the  
10 operation of the agency for which the appropriations in this Act are  
11 provided, and that in the event of an extension of the Regular Session, the  
12 delay in the effective date of this Act beyond July 1, 2001 could work  
13 irreparable harm upon the proper administration and provision of essential  
14 governmental programs. Therefore, an emergency is hereby declared to exist  
15 and this Act being necessary for the immediate preservation of the public  
16 peace, health and safety shall be in full force and effect from and after  
17 July 1, 2001.

18 */s/ Joint Budget Committee*

21 APPROVED: 4/13/2001