

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 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 1056 of 2003
HOUSE BILL 1633

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

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

Subtitle

15 AN ACT FOR THE ARKANSAS STATE
16 UNIVERSITY - ARKANSAS BIOSCIENCES
17 INSTITUTE APPROPRIATION FOR THE
18 2003-2005 BIENNIUM.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. REGULAR SALARIES - ARKANSAS BIOSCIENCES INSTITUTE. There is
26 hereby established for the Arkansas State University - Arkansas Biosciences
27 Institute for the 2003-2005 biennium, the following maximum number of regular
28 employees whose salaries shall be governed by the provisions of the Uniform
29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
30 its successor, and all laws amendatory thereto. Provided, however, that any
31 position to which a specific maximum annual salary is set out herein in
32 dollars, shall be exempt from the provisions of said Uniform Classification
33 and Compensation Act. All persons occupying positions authorized herein are
34 hereby governed by the provisions of the Regular Salaries Procedures and
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.
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Item		Maximum	Maximum Annual	
No.	Title	No. of	Salary Rate	Fiscal Years
		Employees	2003-2004	2004-2005
<u>ARKANSAS BIOSCIENCE INSTITUTE</u>				
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ADMINISTRATIVE POSITIONS</u>				
(1)	Exec Dir of Biosciences Institute	1	\$141,299	\$144,127
(2)	Director, Research & Tech Transfer	1	\$131,585	\$135,006
(3)	Asst Director, Bio Institute	1	\$73,405	\$75,314
(4)	Project/Program Administrator	3		
	Project/Program Director		\$73,304	\$75,097
	Project/Program Manager		\$66,295	\$67,955
	Project/Program Specialist		\$56,999	\$58,482
(5)	Research Assistant	3	\$46,910	\$48,177
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>CLASSIFIED POSITIONS</u>				
(6)	Accounting Supervisor I	1		GRADE 20
(7)	Plant Maintenance Coordinator	1		GRADE 20
(8)	Accountant	2		GRADE 18
(9)	Administrative Assistant II	1		GRADE 17
(10)	Skilled Trades Worker	2		GRADE 17
(11)	Accounting Tech II	1		GRADE 15
(12)	Administrative Secretary	3		GRADE 14
(13)	Greenhouse Technician	1		GRADE 14
(14)	Custodial Worker II	2		GRADE 4
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ACADEMIC POSITIONS</u>				
(15)	Faculty	14		
	Research Professor		\$129,544	\$132,208
	Research Associate Professor		\$122,260	\$124,822
	Research Assistant Professor		\$115,293	\$117,757
	Research Instructor		\$78,639	\$80,533
(16)	Research Associate	6	\$79,243	\$81,149
(17)	Research Graduate Assistant	6	\$30,567	\$31,392
	MAX. NO. OF EMPLOYEES	49		

SECTION 2. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby appropriated, to the Arkansas State University, to be payable from the Arkansas Biosciences Institute Program Account, for personal services and maintenance and operations of the Arkansas State University - Arkansas Biosciences Institute for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 2,317,370	\$ 2,317,370
(02) PERSONAL SERV MATCHING	626,197	626,197
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	824,771	824,771
(B) CONF. & TRAVEL	137,970	137,970
(C) PROF. FEES	391,004	391,004
(D) CAP. OUTLAY	617,890	617,890
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,915,202</u>	<u>\$ 4,915,202</u>

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

The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.

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

The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.

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

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

21 The provisions of this section shall be in effect only from July 1, 2003
22 through June 30, 2005.

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24 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

26 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
27 State of Arkansas or any of its agencies or institutions to continue funding
28 any position paid from the proceeds of the Tobacco Settlement in the event
29 that Tobacco Settlement funds are not sufficient to finance the position.

30 (b) State funds will not be used to replace Tobacco Settlement funds when
31 such funds expire, unless appropriated by the General Assembly and authorized
32 by the Governor.

33 (c) A disclosure of the language contained in (a) and (b) of this Section
34 shall be made available to all new hire and current positions paid from the
35 proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.

36 (d) Whenever applicable the information contained in (a) and (b) of this

1 Section shall be included in the employee handbook and or Professional
 2 Services Contract paid from the proceeds of the Tobacco Settlement.

3 The provisions of this section shall be in effect only from July 1, 2003
 4 through June 30, 2005.

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

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 16 SECTION 8. SPECIAL LANGUAGE. LEGISLATIVE INTENT. It is the intent of
 17 the General Assembly that any funds disbursed under the authority of the
 18 appropriations contained in this act shall be in compliance with the stated
 19 reasons for which this act was adopted, as evidenced by Initiated Act 1 of
 20 2000, the Agency Requests, Executive Recommendations and Legislative
 21 Recommendations contained in the budget manuals prepared by the Department of
 22 Finance and Administration, letters, or summarized oral testimony in the
 23 official minutes of the Arkansas Legislative Council or Joint Budget
 24 Committee which relate to its passage and adoption.

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 26 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
 27 Assembly, that the Constitution of the State of Arkansas prohibits the
 28 appropriation of funds for more than a two (2) year period; that the
 29 effectiveness of this Act on July 1, 2003 is essential to the operation of
 30 the agency for which the appropriations in this Act are provided, and that in
 31 the event of an extension of the Regular Session, the delay in the effective
 32 date of this Act beyond July 1, 2003 could work irreparable harm upon the
 33 proper administration and provision of essential governmental programs.
 34 Therefore, an emergency is hereby declared to exist and this Act being
 35 necessary for the immediate preservation of the public peace, health and
 36 safety shall be in full force and effect from and after July 1, 2003.

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APPROVED: 4/3/2003