

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

As Engrossed: H3/10/03 H3/19/03

A Bill

Act 1320 of 2003
HOUSE BILL 1717

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES -
12 DONALD W. REYNOLDS CENTER ON AGING, ARKANSAS
13 SCHOOL OF PUBLIC HEALTH, ARKANSAS BIOSCIENCES
14 INSTITUTE AND AREA HEALTH EDUCATION CENTER IN
15 HELENA FOR THE BIENNIAL PERIOD ENDING JUNE 30,
16 2005; AND FOR OTHER PURPOSES.
17
18

Subtitle

19 AN ACT FOR THE UNIVERSITY OF ARKANSAS
20 FOR MEDICAL SCIENCES - REYNOLDS CENTER
21 ON AGING, SCHOOL OF PUBLIC HEALTH,
22 ARKANSAS BIOSCIENCES INSTITUTE AND AREA
23 HEALTH EDUCATION CENTER IN HELENA
24 APPROPRIATION FOR THE 2003-2005 BIENNIUM
25
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27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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30 SECTION 1. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES
31 - DONALD W. REYNOLDS CENTER ON AGING - OPERATIONS. There is hereby
32 established for the University of Arkansas for Medical Sciences - Donald W.
33 Reynolds Center on Aging for the 2003-2005 biennium, the following maximum
34 number of regular employees whose salaries shall be governed by the
35 provisions of the Uniform Classification and Compensation Act (Arkansas Code
36 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.



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1 Provided, however, that any position to which a specific maximum annual
 2 salary is set out herein in dollars, shall be exempt from the provisions of
 3 said Uniform Classification and Compensation Act. All persons occupying
 4 positions authorized herein are hereby governed by the provisions of the
 5 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 6 or its successor.

7			Maximum Annual	
8			Salary Rate	
9		Maximum	Fiscal Years	
10	Item	No. of		
11	No. Title	Employees	2003-2004	2004-2005
12	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
13	<u>ADMINISTRATIVE POSITIONS</u>			
14	(1) Project/Program Manager	1	\$66,038	\$67,693
15	(2) Project/Program Specialist	4	\$56,780	\$58,259
16	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
17	<u>CLASSIFIED POSITIONS</u>			
18	(3) Administrative Assistant II	1	GRADE 17	
19	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
20	<u>ACADEMIC POSITIONS</u>			
21	(4) Faculty Pool	19		
22	Professor		\$132,707	\$135,415
23	Associate Professor		\$122,261	\$124,823
24	Assistant Professor		\$115,293	\$117,757
25	Instructor		\$92,131	\$94,271
26	(5) Education Coordinator	1	\$94,775	\$96,952
27	(6) Research Assistant	<u>1</u>	\$61,800	\$63,374
28	MAX. NO. OF EMPLOYEES	27		

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30 SECTION 2. APPROPRIATION - DONALD W. REYNOLDS CENTER ON AGING. There is
 31 hereby appropriated, to the University of Arkansas for Medical Sciences -
 32 Donald W. Reynolds Center on Aging, to be payable from the Targeted State
 33 Needs Program Account of the Tobacco Settlement Program Fund, for personal
 34 services and maintenance and operations of the Donald W. Reynolds Center on
 35 Aging for the biennial period ending June 30, 2005, the following:

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ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 1,278,528	\$ 1,278,527
(02) PERSONAL SERV MATCHING	232,733	232,733
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	198,515	198,515
(B) CONF. & TRAVEL	56,500	56,500
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	558,200	558,200
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,324,476</u>	<u>\$ 2,324,475</u>

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13 SECTION 3. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES
 14 - ARKANSAS SCHOOL OF PUBLIC HEALTH - OPERATIONS. There is hereby established
 15 for the University of Arkansas for Medical Sciences - Arkansas School Of
 16 Public Health for the 2003-2005 biennium, the following maximum number of
 17 regular employees whose salaries shall be governed by the provisions of the
 18 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
 19 seq.), or its successor, and all laws amendatory thereto. Provided, however,
 20 that any position to which a specific maximum annual salary is set out herein
 21 in dollars, shall be exempt from the provisions of said Uniform
 22 Classification and Compensation Act. All persons occupying positions
 23 authorized herein are hereby governed by the provisions of the Regular
 24 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
 25 successor.

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Item No. Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
		2003-2004	2004-2005
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
<u>ADMINISTRATIVE POSITIONS</u>			
(1) Project/Program Director	1	\$73,024	\$74,811
(2) Project/Program Specialist	1	\$56,780	\$58,259
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
<u>CLASSIFIED POSITIONS</u>			

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1	(3) Systems Analyst II	1	GRADE 22
2	(4) Research Technologist II	1	GRADE 20
3	(5) Administrative Assistant II	6	GRADE 17
4	(6) Secretary II	1	GRADE 13
5	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
6	<u>ACADEMIC POSITIONS</u>		
7	(7) Dean	1	\$198,519 \$202,148
8	(8) Department Chairperson	5	\$139,680 \$142,486
9	(9) Associate Dean	1	\$133,512 \$136,231
10	(10) Faculty Pool	6	
11	Professor		\$132,707 \$135,415
12	Associate Professor		\$122,261 \$124,823
13	Assistant Professor	_____	\$115,293 \$117,757
14	MAX. NO. OF EMPLOYEES	24	

SECTION 4. APPROPRIATION - ARKANSAS SCHOOL OF PUBLIC HEALTH. There is hereby appropriated, to the University of Arkansas for Medical Sciences - Arkansas School of Public Health, to be payable from the Targeted State Needs Program Account of the Tobacco Settlement Program Fund, for personal services and maintenance and operations of the Arkansas School of Public Health for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
(01) REGULAR SALARIES	\$ 2,500,613	\$ 2,500,613
(02) PERSONAL SERV MATCHING	484,316	484,316
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	196,784	196,784
(B) CONF. & TRAVEL	40,000	40,000
(C) PROF. FEES	100,000	100,000
(D) CAP. OUTLAY	165,000	165,000
(E) DATA PROC.	_____ 0	_____ 0
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,486,713</u>	<u>\$ 3,486,713</u>

SECTION 5. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - ARKANSAS BIOSCIENCES INSTITUTE - OPERATIONS. There is hereby established

1 for the University of Arkansas for Medical Sciences - Arkansas Biosciences
 2 Institute for the 2003-2005 biennium, the following maximum number of regular
 3 employees whose salaries shall be governed by the provisions of the Uniform
 4 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
 5 its successor, and all laws amendatory thereto. Provided, however, that any
 6 position to which a specific maximum annual salary is set out herein in
 7 dollars, shall be exempt from the provisions of said Uniform Classification
 8 and Compensation Act. All persons occupying positions authorized herein are
 9 hereby governed by the provisions of the Regular Salaries Procedures and
 10 Restrictions Act (Arkansas Code §21-5-101), or its successor.

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		Maximum Annual		
		Maximum	Salary Rate	
		No. of	Fiscal Years	
Item		Employees	2003-2004	2004-2005
No.	Title			
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ADMINISTRATIVE POSITIONS</u>				
(1)	Director of Biosciences Institute	1	\$208,923	\$212,698
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>CLASSIFIED POSITIONS</u>				
(2)	Research Technologist I	12	GRADE 18	
(3)	Research Technician	12	GRADE 13	
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ACADEMIC POSITIONS</u>				
(4)	Faculty Pool	24		
	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
(5)	Post Doctoral Fellow	6	\$79,243	\$81,149
(6)	Graduate Assistant	<u>4</u>	\$30,567	\$31,392
	MAX. NO. OF EMPLOYEES	59		

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34 SECTION 6. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby
 35 appropriated, to the University of Arkansas for Medical Sciences - Arkansas
 36 Biosciences Institute, to be payable from the Arkansas Biosciences Institute

1 Program Account of the Tobacco Settlement Program Fund, for personal services
 2 and maintenance and operations of the University of Arkansas for Medical
 3 Sciences - Arkansas Biosciences Institute for the biennial period ending June
 4 30, 2005, the following:

6 ITEM	FISCAL YEARS	
7 NO.	2003-2004	2004-2005
8 (01) REGULAR SALARIES	\$ 1,926,987	\$ 1,926,987
9 (02) PERSONAL SERV MATCHING	350,773	350,773
10 (03) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE	524,144	524,144
12 (B) CONF. & TRAVEL	60,000	60,000
13 (C) PROF. FEES	300,000	300,000
14 (D) CAP. OUTLAY	1,000,000	1,000,000
15 (E) DATA PROC.	0	0
16 (04) ARKANSAS CHILDREN'S HOSPITAL		
17 RESEARCH PROGRAM	<u>1,994,772</u>	<u>1,994,772</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$ 6,156,676</u>	<u>\$ 6,156,676</u>

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20 SECTION 7. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES
 21 - AREA HEALTH EDUCATION CENTER IN HELENA - OPERATIONS. There is hereby
 22 established for the University of Arkansas for Medical Sciences - Area Health
 23 Education Center In Helena for the 2003-2005 biennium, the following maximum
 24 number of regular employees whose salaries shall be governed by the
 25 provisions of the Uniform Classification and Compensation Act (Arkansas Code
 26 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
 27 Provided, however, that any position to which a specific maximum annual
 28 salary is set out herein in dollars, shall be exempt from the provisions of
 29 said Uniform Classification and Compensation Act. All persons occupying
 30 positions authorized herein are hereby governed by the provisions of the
 31 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 32 or its successor.

34	Maximum Annual
35	Maximum Salary Rate
36 Item	No. of Fiscal Years

No.	Title	Employees	2003-2004	2004-2005
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
	<u>ADMINISTRATIVE POSITIONS</u>			
(1)	Administrative Support Pool	17		
	Project/Program Director		\$73,024	\$74,811
	Project/Program Manager		\$66,038	\$67,693
	Project/Program Specialist		\$56,780	\$58,259
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
	<u>CLASSIFIED POSITIONS</u>			
(2)	Administrative Assistant II	2		GRADE 17
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
	<u>ACADEMIC POSITIONS</u>			
(3)	Assistant Professor	2	\$115,293	\$117,757
(4)	Clinic Instructor	1	\$92,132	\$94,272
(5)	RN II - AHEC	2	\$68,739	\$70,445
(6)	Assistant Instructor	<u>5</u>	\$65,511	\$67,156
	MAX. NO. OF EMPLOYEES	29		

SECTION 8. APPROPRIATION - AREA HEALTH EDUCATION CENTER IN HELENA. There is hereby appropriated, to the University of Arkansas for Medical Sciences - Area Health Education Center in Helena, to be payable from the Targeted State Needs Program Account of the Tobacco Settlement Program Fund, for personal services and maintenance and operations of the Area Health Education Center in Helena for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 1,347,405	\$ 1,347,405
(02) PERSONAL SERV MATCHING	245,270	245,270
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	340,800	340,800
(B) CONF. & TRAVEL	41,000	41,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	350,000	350,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,324,475</u>	<u>\$ 2,324,475</u>

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

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

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10 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
12 CHILDREN'S HOSPITAL RESEARCH PROGRAM. In any fiscal year, if the funds
13 received by the University of Arkansas for Medical Sciences for the Arkansas
14 Biosciences Institute under Section 2 6 of this Act are less than the total
15 amount appropriated, the University of Arkansas for Medical Sciences shall
16 provide no less than thirty-three and one-third percent (33 and 1/3%) of the
17 available funds for the Arkansas Children's Hospital Research Program.
18 Otherwise, the Arkansas Children's Hospital Research Program line item
19 *appropriation under Section 2 6 of this Act shall be funded in total, or*
20 *Arkansas Children's Hospital Chief Executive Officer may request that the*
21 *University of Arkansas for Medical Sciences transfer such funds each fiscal*
22 *year from the University of Arkansas Medical Center Fund to the Department of*
23 *Human Services Grants Fund Account. The transferred funds shall be used to*
24 *match federal funds used for Supplemental Medicaid payments to Arkansas*
25 *Children's Hospital.*

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

28
29 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
31 RESTRICTIONS. The appropriations provided in this act shall not be
32 transferred under the provisions of Arkansas Code 19-4-522 or the provisions
33 of Arkansas Code 6-62-104, but only as provided by this act.

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

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1 SECTION 12. 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 of competent
20 jurisdiction, 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.

23
24 SECTION 13. 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 14. 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.

15
16 SECTION 15. 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.

25
26 SECTION 16. 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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/s/ Joint Budget Committee

APPROVED: 4/14/2003