

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.

Act 1403 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H2/15/05

A Bill

HOUSE BILL 1553

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, *COLLEGE* OF
13 PUBLIC HEALTH, ARKANSAS BIOSCIENCES INSTITUTE AND
14 THE AREA HEALTH EDUCATION CENTER IN HELENA FOR
15 THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR
16 OTHER PURPOSES.

Subtitle

17
18
19 AN ACT FOR THE UNIVERSITY OF ARKANSAS
20 FOR MEDICAL SCIENCES - REYNOLDS CENTER
21 ON AGING, *COLLEGE* OF PUBLIC HEALTH,
22 ARKANSAS BIOSCIENCES INSTITUTE AND AREA
23 HEALTH EDUCATION CENTER IN HELENA
24 APPROPRIATION FOR THE 2005-2007 BIENNIUM
25

26
27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
28

29 SECTION 1. REGULAR SALARIES – UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES
30 - DONALD W. REYNOLDS CENTER ON AGING - OPERATIONS. There is hereby
31 established for the University of Arkansas for Medical Sciences - Donald W.
32 Reynolds Center On Aging for the 2005-2007 biennium, the following maximum
33 number of regular employees whose salaries shall be governed by the
34 provisions of the Uniform Classification and Compensation Act (Arkansas Code
35 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.



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.

		Maximum Annual		
		Maximum	Salary Rate	
Item	Class	No. of	Fiscal Years	
No.	Code Title	Employees	2005-2006	2006-2007
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ADMINISTRATIVE POSITIONS</u>				
14	(1) Project/Program Manager	1	\$69,529	\$71,400
15	(2) Project/Program Specialist	4	\$59,916	\$61,604
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>CLASSIFIED POSITIONS</u>				
18	(3) Administrative Assistant II	1	GRADE 17	
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ACADEMIC POSITIONS</u>				
21	(4) Faculty Pool	19		
22	Professor		\$138,356	\$141,341
23	Associate Professor		\$127,605	\$130,429
24	Assistant Professor		\$120,433	\$123,149
25	Instructor		\$96,595	\$98,954
26	(5) Education Coordinator	1	\$99,316	\$101,716
27	(6) Research Assistant	<u>1</u>	\$65,128	\$66,915
28	MAX. NO. OF EMPLOYEES	27		

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, 2007, the following:

36

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 1,345,756	\$ 1,345,756
(02) PERSONAL SERV MATCHING	295,383	295,383
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	606,636	606,636
(B) CONF. & TRAVEL	51,134	51,134
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	25,567	25,567
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,324,476</u>	<u>\$ 2,324,476</u>

12

13 SECTION 3. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES
 14 - COLLEGE OF PUBLIC HEALTH - OPERATIONS. There is hereby established for the
 15 University of Arkansas for Medical Sciences - College Of Public Health for
 16 the 2005-2007 biennium, the following maximum number of regular employees
 17 whose salaries shall be governed by the provisions of the Uniform
 18 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
 19 its successor, and all laws amendatory thereto. Provided, however, that any
 20 position to which a specific maximum annual salary is set out herein in
 21 dollars, shall be exempt from the provisions of said Uniform Classification
 22 and Compensation Act. All persons occupying positions authorized herein are
 23 hereby governed by the provisions of the Regular Salaries Procedures and
 24 Restrictions Act (Arkansas Code §21-5-101), or its successor.

25

Item Class No. Code Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
		2005-2006	2006-2007
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
<u>ADMINISTRATIVE POSITIONS</u>			
(01) Project/Program Director	1	\$76,782	\$78,791
(02) Project/Program Specialist	1	\$59,916	\$61,604
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
<u>CLASSIFIED POSITIONS</u>			
(03) Systems Analyst II - Inst	1	GRADE 22	

1	(04)	Research Technologist II	1		GRADE 20
2	(05)	Administrative Assistant II	6		GRADE 17
3	(06)	Secretary II	1		GRADE 13
4		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
5		<u>ACADEMIC POSITIONS</u>			
6	(07)	Dean	1	\$206,090	\$210,091
7	(08)	Department Chairperson	5	\$145,533	\$148,626
8	(09)	Associate Dean	1	\$139,184	\$142,182
9	(10)	Faculty Pool	6		
10		Professor		\$138,356	\$141,341
11		Associate Professor		\$127,605	\$130,429
12		Assistant Professor		\$120,433	\$123,149
13		MAX. NO. OF EMPLOYEES	24		

15 SECTION 4. APPROPRIATION - COLLEGE OF PUBLIC HEALTH. There is hereby
 16 appropriated, to the University of Arkansas for Medical Sciences - College Of
 17 Public Health, to be payable from the Targeted State Needs Program Account of
 18 the Tobacco Settlement Program Fund, for personal services and maintenance
 19 and operations of the College of Public Health for the biennial period ending
 20 June 30, 2007, the following:

22	ITEM		FISCAL YEARS	
23	<u>NO.</u>		<u>2005-2006</u>	<u>2006-2007</u>
24	(01)	REGULAR SALARIES	\$ 2,468,592	\$ 2,468,592
25	(02)	PERSONAL SERV MATCHING	596,229	596,229
26	(03)	MAINT. & GEN. OPERATION		
27	(A)	OPER. EXPENSE	233,610	233,610
28	(B)	CONF. & TRAVEL	55,787	55,787
29	(C)	PROF. FEES	76,708	76,708
30	(D)	CAP. OUTLAY	55,787	55,787
31	(E)	DATA PROC.	<u>0</u>	<u>0</u>
32		TOTAL AMOUNT APPROPRIATED	<u>\$ 3,486,713</u>	<u>\$ 3,486,713</u>

34 SECTION 5. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES
 35 - ARKANSAS BIOSCIENCES INSTITUTE - OPERATIONS. There is hereby established
 36 for the University of Arkansas for Medical Sciences - Arkansas Biosciences

1 Institute for the 2005-2007 biennium, the following maximum number of regular
 2 employees whose salaries shall be governed by the provisions of the Uniform
 3 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
 4 its successor, and all laws amendatory thereto. Provided, however, that any
 5 position to which a specific maximum annual salary is set out herein in
 6 dollars, shall be exempt from the provisions of said Uniform Classification
 7 and Compensation Act. All persons occupying positions authorized herein are
 8 hereby governed by the provisions of the Regular Salaries Procedures and
 9 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2005-2006	2006-2007
<u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u>					
(1)		Director of Biosciences Institute	1	\$216,798	\$220,960
<u>TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS</u>					
(2)		Research Technologist I	12		GRADE 18
(3)		Research Technician II	12		GRADE 13
<u>TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS</u>					
(4)		Faculty Pool	24		
		Research Professor		\$135,101	\$138,038
		Research Associate Professor		\$127,604	\$130,428
		Research Assistant Professor		\$120,433	\$123,149
		Research Instructor		\$82,613	\$84,733
(5)		Post Doctoral Fellow	6	\$83,241	\$85,373
(6)		Graduate Assistant	<u>4</u>	\$32,334	\$33,304
		MAX. NO. OF EMPLOYEES	59		

33 SECTION 6. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby
 34 appropriated, to the University of Arkansas for Medical Sciences - Arkansas
 35 Biosciences Institute, to be payable from the Arkansas Biosciences Institute
 36 Program Account of the Tobacco Settlement Program Fund, for personal services

1 and maintenance and operations of the University of Arkansas for Medical
 2 Sciences – Arkansas Biosciences Institute for the biennial period ending June
 3 30, 2007, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) REGULAR SALARIES	\$ 1,801,863	\$ 1,801,863
(02) PERSONAL SERV MATCHING	414,552	414,552
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	796,267	796,267
(B) CONF. & TRAVEL	57,463	57,463
(C) PROF. FEES	16,418	16,418
(D) CAP. OUTLAY	1,017,908	1,017,908
(E) DATA PROC.	0	0
(04) ARKANSAS CHILDREN'S HOSPITAL		
RESEARCH PROGRAM	<u>2,052,205</u>	<u>2,052,205</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 6,156,676</u>	<u>\$ 6,156,676</u>

19 SECTION 7. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES
 20 - AREA HEALTH EDUCATION CENTER IN HELENA - OPERATIONS. There is hereby
 21 established for the University of Arkansas for Medical Sciences - Area Health
 22 Education Center in Helena for the 2005-2007 biennium, the following maximum
 23 number of regular employees whose salaries shall be governed by the
 24 provisions of the Uniform Classification and Compensation Act (Arkansas Code
 25 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
 26 Provided, however, that any position to which a specific maximum annual
 27 salary is set out herein in dollars, shall be exempt from the provisions of
 28 said Uniform Classification and Compensation Act. All persons occupying
 29 positions authorized herein are hereby governed by the provisions of the
 30 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 31 or its successor.

Item Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years
<u>No. Code Title</u>	<u>2005-2006</u>	<u>2006-2007</u>
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		

1	<u>ADMINISTRATIVE POSITIONS</u>			
2	(1) Administrative Support Pool	17		
3	Project/Program Director		\$76,782	\$78,791
4	Project/Program Manager		\$69,529	\$71,400
5	Project/Program Specialist		\$59,916	\$61,604
6	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
7	<u>CLASSIFIED POSITIONS</u>			
8	(2) Administrative Assistant II	2		GRADE 17
9	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
10	<u>ACADEMIC POSITIONS</u>			
11	(3) Assistant Professor	2	\$120,433	\$123,149
12	(4) Clinic Instructor	1	\$96,596	\$98,955
13	(5) RN II - AHEC	2	\$72,333	\$74,257
14	(6) Assistant Instructor	<u>5</u>	\$68,982	\$70,843
15	MAX. NO. OF EMPLOYEES	29		

16

17 SECTION 8. APPROPRIATION - AREA HEALTH EDUCATION CENTER IN HELENA. There
 18 is hereby appropriated, to the University of Arkansas for Medical Sciences -
 19 Area Health Education Center in Helena, to be payable from the Targeted State
 20 Needs Program Account of the Tobacco Settlement Program Fund, for personal
 21 services and maintenance and operations of the Area Health Education Center
 22 in Helena for the biennial period ending June 30, 2007, the following:

23

24	ITEM	FISCAL YEARS	
25	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
26	(01) REGULAR SALARIES	\$ 1,201,754	\$ 1,201,754
27	(02) PERSONAL SERV MATCHING	271,964	271,964
28	(03) MAINT. & GEN. OPERATION		
29	(A) OPER. EXPENSE	820,540	820,540
30	(B) CONF. & TRAVEL	9,298	9,298
31	(C) PROF. FEES	0	0
32	(D) CAP. OUTLAY	20,920	20,920
33	(E) DATA PROC.	<u>0</u>	<u>0</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,324,476</u>	<u>\$ 2,324,476</u>

35

36 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
2 FORWARD. Such appropriation as is authorized in this Act which remains at the
3 end of the first fiscal year of the biennium may be carried forward into the
4 second fiscal year of the biennium there to be used for the same purposes.

5 The provisions of this section shall be in effect only from July 1, ~~2003~~
6 2005 through June 30, ~~2005~~ 2007.

7

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

24 The provisions of this section shall be in effect only from July 1, ~~2003~~
25 2005 through June 30, ~~2005~~ 2007.

26

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

32 The provisions of this section shall be in effect only from July 1, ~~2003~~
33 2005 through June 30, ~~2005~~ 2007.

34

35 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

1 PROVISIONS. The state-supported institution of higher education in this act
2 may transfer appropriations between the various line items within each
3 appropriation contained in this appropriation act. Such transfers shall be
4 made only after the approval of the Department of Higher Education and the
5 Chief Fiscal Officer of the State, and the approval of the Legislative
6 Council.

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

19 The provisions of this section shall be in effect only from July 1, ~~2003~~
20 2005 through June 30, ~~2005~~ 2007.

21

22 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

34 (d) Whenever applicable the information contained in (a) and (b) of this
35 Section shall be included in the employee handbook and or Professional
36 Services Contract paid from the proceeds of the Tobacco Settlement.

1 The provisions of this section shall be in effect only from July 1, 2003
2 2005 through June 30, ~~2005~~ 2007.

3
4 SECTION 14. SPECIAL LANGUAGE. COMPLIANCE WITH OTHER LAWS. Disbursement
5 of funds authorized by this act shall be limited to the appropriation for
6 such agency and funds made available by law for the support of such
7 appropriations; and the restrictions of the State Purchasing Law, the General
8 Accounting and Budgetary Procedures Law, the Regular Salary Procedures and
9 Restrictions Act, or their successors, and other fiscal control laws of this
10 State, where applicable, and regulations promulgated by the Department of
11 Finance and Administration, as authorized by law, shall be strictly complied
12 with in disbursement of said funds.

13
14 SECTION 15. SPECIAL LANGUAGE. LEGISLATIVE INTENT. It is the intent of the
15 General Assembly that any funds disbursed under the authority of the
16 appropriations contained in this act shall be in compliance with the stated
17 reasons for which this act was adopted, as evidenced by Initiated Act 1 of
18 2000, the Agency Requests, Executive Recommendations and Legislative
19 Recommendations contained in the budget manuals prepared by the Department of
20 Finance and Administration, letters, or summarized oral testimony in the
21 official minutes of the Arkansas Legislative Council or Joint Budget
22 Committee which relate to its passage and adoption.

23
24 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General
25 Assembly, that the Constitution of the State of Arkansas prohibits the
26 appropriation of funds for more than a two (2) year period; that the
27 effectiveness of this Act on July 1, 2005 is essential to the operation of
28 the agency for which the appropriations in this Act are provided, and that in
29 the event of an extension of the Regular Session, the delay in the effective
30 date of this Act beyond July 1, 2005 could work irreparable harm upon the
31 proper administration and provision of essential governmental programs.
32 Therefore, an emergency is hereby declared to exist and this Act being
33 necessary for the immediate preservation of the public peace, health and
34 safety shall be in full force and effect from and after July 1, 2005.

35
36 /s/ Joint Budget Committee

1

APPROVED: 3/30/2005