

Stricken language will be deleted and underlined language will be added.  
Act 254 of the Fiscal Session

1 State of Arkansas  
2 87th General Assembly  
3 Fiscal Session, 2010  
4

As Engrossed: H2/17/10, H2/24/10

# A Bill

HOUSE BILL 1122

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, *FAY W.*  
13 *BOOZMAN COLLEGE* OF PUBLIC HEALTH, ARKANSAS  
14 BIOSCIENCES INSTITUTE AND THE AREA HEALTH  
15 EDUCATION CENTER IN HELENA FOR THE FISCAL YEAR  
16 ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.  
17

## Subtitle

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

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

29 SECTION 1. REGULAR SALARIES - REYNOLDS CENTER ON AGING, *BOOZMAN COLLEGE* OF  
30 PUBLIC HEALTH, BIOSCIENCES INSTITUTE AND AREA HEALTH EDUCATION CENTER -  
31 HELENA. There is hereby established for the University of Arkansas for  
32 Medical Sciences - Reynolds Center on Aging, *Boozman College* of Public  
33 Health, Biosciences Institute and Area Health Education Center - Helena for  
34 the 2010-2011 fiscal year, the following maximum number of regular employees  
35 whose salaries shall be governed by the provisions of the Uniform  
36 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or

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

Item		Maximum	Maximum Annual
No.	Title	No. of	Salary Rate
		Empl oyees	Fiscal Year
			2010-2011
	<u>UAMS DONALD W. REYNOLDS CENTER ON AGING</u>		
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
	<u>ADMINISTRATIVE POSITIONS</u>		
(01)	Project/Program Manager	1	\$78,809
(02)	Project/Program Specialist	4	\$67,996
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
	<u>CLASSIFIED POSITIONS</u>		
(03)	Administrative Specialist III	1	GRADE C112
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
	<u>ACADEMIC POSITIONS</u>		
(04)	Faculty Pool	19	
	Professor		\$156,006
	Associate Professor		\$143,963
	Assistant Professor		\$135,927
	Instructor		\$109,222
(05)	Education Coordinator	1	\$112,270
(06)	Research Assistant	1	\$73,858
	<u>UAMS FAY W. BOOZMAN COLLEGE OF PUBLIC HEALTH</u>		
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
	<u>ADMINISTRATIVE POSITIONS</u>		
(07)	Project/Program Director	1	\$86,966
(08)	Project/Program Specialist	1	\$67,996
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
	<u>CLASSIFIED POSITIONS</u>		
(09)	Research Technologist	1	GRADE C119

1	(10)	Administrative Specialist III	3	GRADE C112
2	(11)	Administrative Specialist II	1	GRADE C109
3		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
4		<u>ACADEMIC POSITIONS</u>		
5	(12)	Dean	1	\$231,890
6	(13)	Department Chairperson	5	\$164,048
7	(14)	Associate Dean	1	\$156,936
8	(15)	Faculty Pool	6	
9		Professor		\$156,006
10		Associate Professor		\$143,963
11		Assistant Professor		\$135,927
12		<u>ARKANSAS BIOSCIENCES INSTITUTE</u>		
13		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
14		<u>ADMINISTRATIVE POSITIONS</u>		
15	(16)	Director of Biosciences Institute	1	\$243,887
16		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
17		<u>CLASSIFIED POSITIONS</u>		
18	(17)	Research Technologist	6	GRADE C119
19	(18)	Research Technician	4	GRADE C109
20		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
21		<u>ACADEMIC POSITIONS</u>		
22	(19)	Faculty Pool	24	
23		Research Professor		\$152,361
24		Research Associate Professor		\$143,962
25		Research Assistant Professor		\$135,927
26		Research Instructor		\$93,526
27	(20)	Post Doctoral Fellow	6	\$94,231
28	(21)	Graduate Assistant	4	\$36,759
29		<u>UAMS AREA HEALTH EDUCATION CENTER IN</u>		
30		<u>HELENA TWELVE MONTH EDUCATIONAL AND</u>		
31		<u>GENERAL ADMINISTRATIVE POSITIONS</u>		
32	(22)	Administrative Support Pool	17	
33		Project/Program Director		\$86,966
34		Project/Program Manager		\$78,809
35		Project/Program Specialist		\$67,996
36		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		

1	<u>CLASSIFIED POSITIONS</u>		
2	(23) Administrative Specialist III	2	GRADE C112
3	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
4	<u>ACADEMIC POSITIONS</u>		
5	(24) Assistant Professor	1	\$135,927
6	(25) Clinic Instructor	<u>1</u>	\$109,223
7	MAX. NO. OF EMPLOYEES	113	

9 SECTION 2. APPROPRIATION - DONALD W. REYNOLDS CENTER ON AGING. There is  
 10 hereby appropriated, to the University of Arkansas for Medical Sciences, to  
 11 be payable from the Targeted State Needs Program Account of the Tobacco  
 12 Settlement Program Fund, for personal services and operating expenses of the  
 13 University of Arkansas for Medical Sciences - Donald W. Reynolds Center on  
 14 Aging for the fiscal year ending June 30, 2011, the following:

16	ITEM	FISCAL YEAR	
17	<u>NO.</u>	<u>2010-2011</u>	
18	(01) REGULAR SALARIES	\$	1,292,959
19	(02) PERSONAL SERV MATCHING		316,765
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE		603,713
22	(B) CONF. & TRAVEL		52,128
23	(C) PROF. FEES		0
24	(D) CAP. OUTLAY		55,231
25	(E) DATA PROC.		<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	\$	<u><u>2,320,796</u></u>

28 SECTION 3. APPROPRIATION - *FAY W. BOOZMAN COLLEGE* OF PUBLIC HEALTH. There  
 29 is hereby appropriated, to the University of Arkansas for Medical Sciences,  
 30 to be payable from the Targeted State Needs Program Account of the Tobacco  
 31 Settlement Program Fund, for personal services and operating expenses of the  
 32 University of Arkansas for Medical Sciences - *Fay W. Boozman College* of  
 33 Public Health for the fiscal year ending June 30, 2011, the following:

35	ITEM	FISCAL YEAR	
36	<u>NO.</u>	<u>2010-2011</u>	

1	(01) REGULAR SALARIES	\$ 2,561,276
2	(02) PERSONAL SERV MATCHING	564,670
3	(03) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	50,000
5	(B) CONF. & TRAVEL	20,000
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,195,946</u>

10

11 SECTION 4. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby  
 12 appropriated, to the University of Arkansas for Medical Sciences, to be  
 13 payable from the Arkansas Biosciences Institute Program Account of the  
 14 Tobacco Settlement Program Fund, for personal services and operating expenses  
 15 of the University of Arkansas for Medical Sciences - Arkansas Biosciences  
 16 Institute for the fiscal year ending June 30, 2011, the following:

17

18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2010-2011</u>
20	(01) REGULAR SALARIES	\$ 1,407,267
21	(02) PERSONAL SERV MATCHING	337,875
22	(03) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	1,042,499
24	(B) CONF. & TRAVEL	23,960
25	(C) PROF. FEES	37,940
26	(D) CAP. OUTLAY	1,434,680
27	(E) DATA PROC.	0
28	(04) ARKANSAS CHILDRENS HOSPITAL	
29	RESEARCH PROGRAM	<u>1,896,736</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 6,180,957</u>

31

32 SECTION 5. APPROPRIATION - AREA HEALTH EDUCATION CENTER IN HELENA. There  
 33 is hereby appropriated, to the University of Arkansas for Medical Sciences,  
 34 to be payable from the Targeted State Needs Program Account of the Tobacco  
 35 Settlement Program Fund, for personal services and operating expenses of the  
 36 University of Arkansas for Medical Sciences - Area Health Education Center in

1 Helena for the fiscal year ending June 30, 2011, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2010-2011</u>
5 (01) REGULAR SALARIES	\$ 1,292,959
6 (02) PERSONAL SERV MATCHING	316,765
7 (03) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	603,713
9 (B) CONF. & TRAVEL	52,128
10 (C) PROF. FEES	0
11 (D) CAP. OUTLAY	55,231
12 (E) DATA PROC.	<u>0</u>
13 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,320,796</u>

14

15 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
 17 FORWARD. Any authorized carry forward of unexpended balance of funding, may  
 18 be carried forward under the following conditions:

19 (1) Prior to June 30, 2010 the Agency shall by written statement set forth  
 20 its reason(s) for the need to carry forward said funding to the Department of  
 21 Finance and Administration Office of Budget;

22 (2) The Department of Finance and Administration Office of Budget shall  
 23 report to the Arkansas Legislative Council all amounts carried forward by the  
 24 September Arkansas Legislative Council or Joint Budget Committee meeting  
 25 which report shall include the name of the Agency, Board, Commission or  
 26 Institution and the amount of the funding carried forward, the program name  
 27 or line item, the funding source and a copy of the written request set forth  
 28 in (1) above;

29 (3) Each Agency, Board, Commission or Institution shall provide a written  
 30 report to the Arkansas Legislative Council or Joint Budget Committee  
 31 containing all information set forth in item (2) above, along with a written  
 32 statement as to the current status of the project, contract, purpose etc. for  
 33 which the carry forward was originally requested no later than thirty (30)  
 34 days prior to the time the Agency, Board, Commission or Institution presents  
 35 its budget request to the Arkansas Legislative Council / Joint Budget  
 36 Committee; and

1 (4) Thereupon, the Department of Finance and Administration shall include  
2 all information obtained in item (3) above in the budget manuals and/or a  
3 statement of non-compliance by the Agency, Board, Commission or Institution.  
4

5 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
7 CHILDREN'S HOSPITAL RESEARCH PROGRAM. In any fiscal year, if the funds  
8 received by the University of Arkansas for Medical Sciences for the Arkansas  
9 Biosciences Institute under Section 4 of this Act are less than the total  
10 amount appropriated, the University of Arkansas for Medical Sciences shall  
11 provide no less than thirty-three and one-third percent (33 and 1/3%) of the  
12 available funds for the Arkansas Children's Hospital Research Program.  
13 Otherwise, the Arkansas Children's Hospital Research Program line item  
14 appropriation under Section 4 of this Act shall be funded in total or  
15 Arkansas Children's Hospital Chief Executive Officer may request that the  
16 University of Arkansas for Medical Sciences transfer such funds each fiscal  
17 year from the Arkansas Biosciences Institute Program Account to the  
18 Department of Human Services Grants Fund Account. The transferred funds shall  
19 be used to match federal funds used for Supplemental Medicaid payments to  
20 Arkansas Children's Hospital.

21 The provisions of this section shall be in effect only from July 1,  
22 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

23  
24 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
26 RESTRICTIONS. The appropriations provided in this act shall not be  
27 transferred under the provisions of Arkansas Code 19-4-522, but only as  
28 provided by this act.

29 The provisions of this section shall be in effect only from July 1,  
30 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

31  
32 SECTION 9. 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 could  
5 be operated more efficiently if some flexibility is given to that institution  
6 and that flexibility is being accomplished by providing authority to transfer  
7 between items of appropriation made by this act. Since the General Assembly  
8 has granted the institution broad powers under the transfer of  
9 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 of competent  
15 jurisdiction, this entire section is void.

16 The provisions of this section shall be in effect only from July 1,  
17 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

18

19 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
21 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the  
22 State of Arkansas or any of its agencies or institutions to continue funding  
23 any position paid from the proceeds of the Tobacco Settlement in the event  
24 that Tobacco Settlement funds are not sufficient to finance the position.

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

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

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

34 The provisions of this section shall be in effect only from July 1,  
35 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

36

1 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
3 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act  
4 shall be limited to the appropriation for such agency and funds made  
5 available by law for the support of such appropriations; and the restrictions  
6 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
7 Law, the Regular Salary Procedures and Restrictions Act, or their successors,  
8 and other fiscal control laws of this State, where applicable, and  
9 regulations promulgated by the Department of Finance and Administration, as  
10 authorized by law, shall be strictly complied with in disbursement of said  
11 funds.

12

13 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
15 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds  
16 disbursed under the authority of the appropriations contained in this act  
17 shall be in compliance with the stated reasons for which this act was  
18 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,  
19 Executive Recommendations and Legislative Recommendations contained in the  
20 budget manuals prepared by the Department of Finance and Administration,  
21 letters, or summarized oral testimony in the official minutes of the Arkansas  
22 Legislative Council or Joint Budget Committee which relate to its passage and  
23 adoption.

24

25 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General  
26 Assembly, that the Constitution of the State of Arkansas prohibits the  
27 appropriation of funds for more than a one (1) year period; that the  
28 effectiveness of this Act on July 1, 2010 is essential to the operation of  
29 the agency for which the appropriations in this Act are provided, and that in  
30 the event of an extension of the legislative session, the delay in the  
31 effective date of this Act beyond July 1, 2010 could work irreparable harm  
32 upon the proper administration and provision of essential governmental  
33 programs. Therefore, an emergency is hereby declared to exist and this Act  
34 being necessary for the immediate preservation of the public peace, health  
35 and safety shall be in full force and effect from and after July 1, 2010.

36

*/s/ Joint Budget Committ* **APPROVED: 2/26/2010e**