

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 1415 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S3/18/09

A Bill

SENATE BILL 204

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 ARKANSAS
11 SCIENCE AND TECHNOLOGY AUTHORITY FOR THE FISCAL
12 YEAR ENDING JUNE 30, 2010; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS SCIENCE AND
17 TECHNOLOGY AUTHORITY APPROPRIATION FOR
18 THE 2009-2010 FISCAL YEAR.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
25 Science and Technology Authority for the 2009-2010 fiscal year, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
35



Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2009-2010
(1)	U063U	ASTA DIRECTOR	1	\$97,862
(2)	N094N	ASTA EPSCOR DIRECTOR	1	GRADE N906
(3)	B012N	ASTA ASSISTANT DIRECTOR OF ENGINEER	1	GRADE N903
(4)	G026N	ASTA ASSISTANT DIRECTOR MGMT SVS	1	GRADE N901
(5)	A002N	ASTA ASSISTANT DIRECTOR OF FINANCE	1	GRADE N901
(6)	B015N	ASTA ASSISTANT DIRECTOR OF RESEARCH	1	GRADE N901
(7)	B016C	ASTA ASSISTANT DIRECTOR EPSCOR	1	GRADE C126
(8)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
(9)	G137C	ASTA RESEARCH PROGRAM COORDINATOR	1	GRADE C120
(10)	G126C	FINANCE PROGRAM COORDINATOR	1	GRADE C120
(11)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
(12)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
(13)	D062C	DATABASE ANALYST	1	GRADE C119
(14)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
(15)	G193C	WCC PROGRAM SPECIALIST	1	GRADE C116
(16)	C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
(17)	A098C	FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE C112
MAX. NO. OF EMPLOYEES			17	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Science and Technology Authority for the 2009-2010 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Science and Technology Authority, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Arkansas Science and Technology Authority - State Operations for the fiscal year ending June 30, 2010, the following:

1		
2	<u>NO.</u>	<u>2009-2010</u>
3	(01) REGULAR SALARIES	\$ 619,907
4	(02) EXTRA HELP	12,000
5	(03) PERSONAL SERVICES MATCHING	178,174
6	(04) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	186,832
8	(B) CONF. & TRAVEL	27,223
9	(C) PROF. FEES	16,800
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	0
12	(05) ARKANSAS RESEARCH MATCH	292,653
13	(06) TECHNOLOGY DEVELOPMENT	156,975
14	(07) SEED CAPITAL INVESTMENTS	<u>292,653</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,783,217</u>

16

17 SECTION 4. APPROPRIATION - SEED CAPITAL INVESTMENT - CASH. There is hereby
 18 appropriated, to the Arkansas Science and Technology Authority, to be payable
 19 from the cash fund deposited in the State Treasury as determined by the Chief
 20 Fiscal Officer of the State, for investments in technology based businesses
 21 by the Arkansas Science and Technology Authority - Seed Capital Investment -
 22 Cash for the fiscal year ending June 30, 2010, the following:

23

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2009-2010</u>
26	(01) INVESTMENTS	<u>\$ 1,900,000</u>

27

28 SECTION 5. APPROPRIATION - ARKANSAS MANUFACTURING EXTENSION NETWORK -
 29 FEDERAL. There is hereby appropriated, to the Arkansas Science and Technology
 30 Authority, to be payable from the Federal Funds as designated by the Chief
 31 Fiscal Officer of the State, for personal services and operating expenses of
 32 the Arkansas Science and Technology Authority - Arkansas Manufacturing
 33 Extension Network - Federal for the fiscal year ending June 30, 2010, the
 34 following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2009-2010</u>
2	(01) REGULAR SALARIES	\$ 146,194
3	(02) PERSONAL SERVICES MATCHING	42,668
4	(03) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	174,976
6	(B) CONF. & TRAVEL	31,066
7	(C) PROF. FEES	55,000
8	(D) CAP. OUTLAY	0
9	(E) DATA PROC.	0
10	(04) AR MANUFACTURING NETWORK/TECHNOLOGY	
11	TRANSFER ASSIST/OTHER GRANTS & AID	415,000
12	(05) FIELD SERVICES	<u>1,122,849</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,987,753</u>

14

15 SECTION 6. APPROPRIATION - ARKANSAS MANUFACTURING EXTENSION NETWORK -
 16 STATE. There is hereby appropriated, to the Arkansas Science and Technology
 17 Authority, to be payable from the Miscellaneous Agencies Fund Account, for
 18 grants by the Arkansas Science and Technology Authority - Arkansas
 19 Manufacturing Extension Network - State for the fiscal year ending June 30,
 20 2010, the following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2009-2010</u>
24	(01) AR MANUFACTURING EXT NETWORK	<u>\$ 257,182</u>

25

26 SECTION 7. APPROPRIATION - WINTHROP ROCKEFELLER FOUNDATION GRANT. There is
 27 hereby appropriated, to the Arkansas Science and Technology Authority, to be
 28 payable from the cash fund deposited in the State Treasury as determined by
 29 the Chief Fiscal Officer of the State, for operating expenses and science
 30 grants by the Arkansas Science and Technology Authority - Winthrop
 31 Rockefeller Foundation Grant for the fiscal year ending June 30, 2010, the
 32 following:

33

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2009-2010</u>
36	(01) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	\$	16,063
2	(B) CONF. & TRAVEL		0
3	(C) PROF. FEES		54,625
4	(D) CAP. OUTLAY		0
5	(E) DATA PROC.		0
6	(02) SCIENCE GRANTS		<u>490,512</u>
7	TOTAL AMOUNT APPROPRIATED	\$	<u>561,200</u>

8

9 SECTION 8. APPROPRIATION - ARKANSAS EPSCOR - FEDERAL. There is hereby

10 appropriated, to the Arkansas Science and Technology Authority, to be payable

11 from the Federal Funds as designated by the Chief Fiscal Officer of the

12 State, for personal services and operating expenses of the Arkansas Science

13 and Technology Authority - Arkansas EPSCOR - Federal for the fiscal year

14 ending June 30, 2010, the following:

16	ITEM		FISCAL YEAR
17	<u>NO.</u>		<u>2009-2010</u>
18	(01) REGULAR SALARIES	\$	153,981
19	(02) PERSONAL SERVICES MATCHING		39,025
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE		71,183
22	(B) CONF. & TRAVEL		3,333
23	(C) PROF. FEES		40,667
24	(D) CAP. OUTLAY		0
25	(E) DATA PROC.		0
26	(04) AR EPSCOR/TECHNOLOGY DEVELOPMENT/ OTHER GRANTS		<u>2,753,375</u>
27	TOTAL AMOUNT APPROPRIATED	\$	<u>3,061,564</u>

28

29

30 SECTION 9. APPROPRIATION - INDUSTRIAL ENERGY EFFICIENCY PROGRAM. There is

31 hereby appropriated, to the Arkansas Science and Technology Authority, to be

32 payable from the cash fund deposited in the State Treasury as determined by

33 the Chief Fiscal Officer of the State, for operating expenses of the Arkansas

34 Science and Technology Authority - Industrial Energy Efficiency Program for

35 the fiscal year ending June 30, 2010, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2009-2010</u>
3	(01) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	\$ 66,900
5	(B) CONF. & TRAVEL	0
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	0
9	(02) GRANTS AND AID – INDUSTRIAL	
10	ENERGY EFFICIENCY PROGRAM	<u>23,100</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$ 90,000</u>

12

13 SECTION 10. APPROPRIATION - STATE INDUSTRIAL ASSESSMENT - FEDERAL. There
 14 is hereby appropriated, to the Arkansas Science and Technology Authority, to
 15 be payable from the Federal Funds as designated by the Chief Fiscal Officer
 16 of the State, for extensive energy assessments for Arkansas Industrial Plants
 17 by the Arkansas Science and Technology Authority - State Industrial
 18 Assessment - Federal for the fiscal year ending June 30, 2010, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2009-2010</u>
22	(01) GRANTS AND AID – ENERGY ASSESSMENTS	<u>\$ 25,000</u>

23

24 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SEED
 26 CAPITAL INVESTMENTS. Notwithstanding any other law to the contrary
 27 regarding general revenue year end fund balances, any monies received from
 28 the repayment of Seed Capital Investments authorized by the Arkansas Science
 29 and Technology Authority, shall be deposited into the State Treasury to the
 30 credit of the Miscellaneous Agencies Fund Account and shall remain in the
 31 Miscellaneous Agencies Fund Account to be made available solely for the
 32 benefit of the Arkansas Science and Technology Authority to provide
 33 additional Seed Capital Investments.

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

36

1 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
3 FORWARD – TECHNOLOGY DEVELOPMENT. The Arkansas Science and Technology
4 Authority is authorized to carry forward an amount of up to \$150,000 of any
5 obligated but unexpended funds ~~and appropriation~~ in the Technology
6 Development line item in Section 3 for basic or applied research grants which
7 remains at the end of the ~~first year of the biennium~~ fiscal year 2010 to be
8 used for the same purpose ~~in the second year of the biennium~~.

9 Any carry forward of unexpended balance of ~~appropriation and/or~~ funding as
10 authorized herein, may be carried forward under the following conditions:

11 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set
12 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~
13 funding to the Department of Finance and Administration Office of Budget;

14 (2) The Department of Finance and Administration Office of Budget shall
15 report to the Arkansas Legislative Council all amounts carried forward ~~from~~
16 ~~the first fiscal year of the biennium to the second fiscal year of the~~
17 ~~biennium~~ by the September Arkansas Legislative Council or Joint Budget
18 Committee meeting ~~in the second fiscal year of the biennial period~~ which
19 report shall include the name of the Agency, Board, Commission or Institution
20 and the amount of the ~~appropriation and/or~~ funding carried forward ~~from the~~
21 ~~first fiscal year to the second fiscal year~~, the program name or line item,
22 the funding source of that appropriation and a copy of the written request
23 set forth in (1) above;

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

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

36

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

10
11 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General Assembly
12 that any funds disbursed under the authority of the appropriations contained
13 in this act shall be in compliance with the stated reasons for which this act
14 was adopted, as evidenced by the Agency Requests, Executive Recommendations
15 and Legislative Recommendations contained in the budget manuals prepared by
16 the Department of Finance and Administration, letters, or summarized oral
17 testimony in the official minutes of the Arkansas Legislative Council or
18 Joint Budget Committee which relate to its passage and adoption.

19
20 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
21 Assembly, that the Constitution of the State of Arkansas prohibits the
22 appropriation of funds for more than a one (1) year period; that the
23 effectiveness of this Act on July 1, 2009 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the Regular Session, the delay in the effective
26 date of this Act beyond July 1, 2009 could work irreparable harm upon the
27 proper administration and provision of essential governmental programs.
28 Therefore, an emergency is hereby declared to exist and this Act being
29 necessary for the immediate preservation of the public peace, health and
30 safety shall be in full force and effect from and after July 1, 2009.

31
32 /s/ Joint Budget Committee

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34 **APPROVED: 4/9/2009**