

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 595 of the Regular Session

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

As Engrossed: H2/27/09 H3/11/09

**A Bill**

HOUSE BILL 1542

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 HENDERSON  
11 STATE UNIVERSITY FOR THE FISCAL YEAR ENDING JUNE  
12 30, 2010; AND FOR OTHER PURPOSES.  
13  
14

**Subtitle**

15 AN ACT FOR THE HENDERSON STATE  
16 UNIVERSITY APPROPRIATION FOR THE  
17 2009-2010 FISCAL YEAR.  
18  
19  
20

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

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

35 Maximum Annual



1		Maximum	Salary Rate
2	Item	No. of	Fiscal Year
3	No. Title	Employees	2009-2010
4	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
5	<u>ADMINISTRATIVE POSITIONS</u>		
6	(001) President Henderson State Univ.	1	\$162,820
7	(002) Provost and Vice-President of Acad.	1	\$134,253
8	(003) Vice-Pres. for Finance & Admin.	1	\$134,253
9	(004) Vice-Pres. for Univ. and Comm. Rel.	1	\$132,213
10	(005) Vice-Pres. for Student Services	1	\$132,213
11	(006) Dean - Ellis College	1	\$131,155
12	(007) Dean of School	3	\$128,132
13	(008) Assoc. Vice-Pres. for Acad. Aff.	1	\$120,715
14	(009) Exec. Assistant to the President	1	\$117,233
15	(010) Dir. of Computer/Comms. Svcs.	1	\$112,524
16	(011) General Counsel	1	\$104,051
17	(012) Controller	1	\$103,641
18	(013) Associate Dean	3	\$102,937
19	(014) Director of Development	1	\$101,600
20	(015) Director of University Relations	1	\$99,492
21	(016) Director of Physical Plant	1	\$97,553
22	(017) Director of Counseling	1	\$96,301
23	(018) Director of Retention	1	\$94,902
24	(019) Registrar/Admissions Officer	1	\$94,902
25	(020) Assist. to the Pres. for Diversity	1	\$94,481
26	(021) Dean of Student Services	1	\$87,410
27	(022) Director of Economic Development	1	\$86,374
28	(023) Associate Director of Comp/Comm Svcs	1	\$86,158
29	(024) Director of Planning and Research	1	\$84,681
30	(025) Project/Program Administrator	8	
31	Project/Program Director		\$84,431
32	Project/Program Manager		\$76,515
33	Project/Program Specialist		\$66,016
34	(026) Dir. of Grants and Sponsored Progs.	1	\$84,242
35	(027) Director of Public Relations	1	\$84,242
36	(028) Director of Student Aid	1	\$84,242

1	(029)	Director of International Programs	1	\$84,242
2	(030)	Counselors	3	\$79,306
3	(031)	Business Manager	1	\$78,550
4	(032)	Assoc. Dean of Student Services	4	\$78,550
5	(033)	Director of Administrative Services	1	\$74,501
6	(034)	Director of Testing	1	\$71,334
7	(035)	Director of Alumni	1	\$67,735
8	(036)	Director of Pubs./Creative Svcs.	1	\$67,406
9	(037)	Academic Computer Svcs. Coord.	1	\$66,391
10	(038)	Admin. Computer Svcs. Coord.	1	\$66,391
11	(039)	Director of Instructional Technology	1	\$66,391
12	(040)	Assistant Dean of Student Services	7	\$64,437
13	(041)	Major Gift Devel. Officer	1	\$64,437
14	(042)	Director of Disability Services	1	\$63,531
15	(043)	Aircraft Maintenance Coordinator	1	\$56,785
16	(044)	Institutional Assistant	6	\$55,965
17		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
18		<u>CLASSIFIED POSITIONS</u>		
19	(045)	Information Systems Coordinator	1	GRADE C124
20	(046)	Information Technology Manager	1	GRADE C120
21	(047)	HE Public Safety Commander I	1	GRADE C120
22	(048)	Campus Maintenance Supervisor	2	GRADE C119
23	(049)	Computer Support Specialist	1	GRADE C119
24	(050)	Internal Auditor	1	GRADE C119
25	(051)	Fiscal Support Supervisor	1	GRADE C118
26	(052)	Network Support Analyst	1	GRADE C118
27	(053)	Accountant II	1	GRADE C117
28	(054)	Assistant Dir Financial Aid	1	GRADE C117
29	(055)	Aviation Technician	2	GRADE C117
30	(056)	Information Systems Analyst	2	GRADE C117
31	(057)	Accountant I	2	GRADE C116
32	(058)	Higher Education Institution Program	1	GRADE C116
33	(059)	Public Safety Officer	7	GRADE C116
34	(060)	Computer Support Technician	2	GRADE C115
35	(061)	Financial Aid Analyst	2	GRADE C115
36	(062)	Library Supervisor	1	GRADE C115

1	(063)	Maintenance Supervisor	1	GRADE C115
2	(064)	Payroll Services Specialist	2	GRADE C115
3	(065)	Purchasing Specialist	1	GRADE C115
4	(066)	Skilled Tradesman	12	GRADE C115
5	(067)	Student Accounts Officer	1	GRADE C115
6	(068)	Boiler Operator	3	GRADE C114
7	(069)	Career Plng & Placement Specialist	1	GRADE C114
8	(070)	Computer Operator	3	GRADE C114
9	(071)	Network Analyst	3	GRADE C114
10	(072)	Telecommunications Specialist	1	GRADE C114
11	(073)	Administrative Support Supervisor	2	GRADE C113
12	(074)	Financial Aid Specialist	1	GRADE C113
13	(075)	Inventory Control Manager	1	GRADE C113
14	(076)	Landscape Supervisor	2	GRADE C113
15	(077)	Personnel Assistant II - Inst	1	GRADE C113
16	(078)	Student Recruitment Specialist	1	GRADE C113
17	(079)	Administrative Specialist III	30	GRADE C112
18	(080)	Fiscal Support Specialist	5	GRADE C112
19	(081)	Instrumentation Technician	1	GRADE C112
20	(082)	Maintenance Specialist	1	GRADE C112
21	(083)	Payroll Technician	1	GRADE C112
22	(084)	Computer Lab Technician	3	GRADE C110
23	(085)	Human Resources Assistant	1	GRADE C110
24	(086)	Administrative Specialist II	19	GRADE C109
25	(087)	Library Technician	14	GRADE C109
26	(088)	Work Study Coordinator	1	GRADE C109
27	(089)	Cashier	4	GRADE C108
28	(090)	Fiscal Support Technician	3	GRADE C108
29	(091)	Maintenance Assistant	14	GRADE C108
30	(092)	Library Support Assistant	2	GRADE C107
31	(093)	Registrar's Assistant	1	GRADE C107
32	(094)	Administrative Specialist I	18	GRADE C106
33	(095)	Audiovisual Lab Assistant	2	GRADE C106
34	(096)	Institutional Services Supervisor	5	GRADE C104
35	(097)	Institutional Services Assistant	30	GRADE C103
36		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		

1	<u>ACADEMIC POSITIONS</u>		
2	(098)	Department Chairperson	8 \$119,970
3	(099)	Director of Library	1 \$114,189
4	(100)	Director of Bands	1 \$86,608
5	(101)	Asst. Director of Library	1 \$83,357
6	(102)	Library Faculty	7
7		Librarian (Assoc. Prof.)	\$82,461
8		Librarian (Asst. Prof.)	\$68,465
9		Librarian (Instructor)	\$63,428
10	(103)	Chief Flight Instructor	1 \$68,220
11	<u>NINE MONTH EDUCATIONAL AND GENERAL</u>		
12	<u>ACADEMIC POSITIONS</u>		
13	(104)	Faculty	178
14		Distinguished Professor	\$132,104
15		Professor	\$115,890
16		Assoc. Professor	\$101,600
17		Asst. Professor	\$85,059
18		Instructor	\$66,364
19	(105)	Part-Time Faculty	85 \$34,859
20	(106)	Graduate Assistant	60 \$20,940
21	<u>TWELVE MONTH AUXILIARY ENTERPRISES</u>		
22	<u>NON-CLASSIFIED POSITIONS</u>		
23	(107)	Director of Athletics	1 \$99,421
24	(108)	Coach	9 \$90,838
25	(109)	Asst. Director of Athletics	1 \$76,324
26	(110)	Assistant Coach	9 \$71,407
27	(111)	Director of Operations & Hospitality	1 \$65,693
28	(112)	Bookstore Manager	1 \$65,240
29	<u>TWELVE MONTH AUXILIARY ENTERPRISES</u>		
30	<u>CLASSIFIED POSITIONS</u>		
31	(113)	Registered Nurse	1 GRADE C120
32	(114)	Administrative Specialist III	3 GRADE C112
33	(115)	Facility Manager II	1 GRADE C112
34	(116)	Resident Hall Specialist	6 GRADE C111
35	(117)	Residential Advisor	1 GRADE C111
36	(118)	Campus Postmaster	1 GRADE C110

1	(119)	Administrative Specialist II	3	GRADE C109
2	(120)	Innkeeper Specialist	1	GRADE C109
3	(121)	Administrative Specialist I	7	GRADE C106
4	(122)	Innkeeper Assistant	3	GRADE C106
5	(123)	Purchasing Assistant	1	GRADE C106
6	(124)	Shipping & Receiving Clerk	1	GRADE C105
7	(125)	Mail Services Assistant	1	GRADE C105
8	(126)	Institutional Services Supervisor	1	GRADE C104
9	(127)	Institutional Services Assistant	21	GRADE C103
10		<u>CONTINGENCY POSITIONS - FOOD SERVICE</u>		
11		<u>NON-CLASSIFIED POSITION</u>		
12	(128)	Director of Food Services	1	\$65,708
13		<u>CONTINGENCY POSITIONS - FOOD SERVICE</u>		
14		<u>CLASSIFIED POSITIONS</u>		
15	(129)	<i>Food Preparation Supervisor</i>	2	GRADE C111
16	(130)	Food Preparation Specialist	1	GRADE C104
17	(131)	Cook	7	GRADE C104
18	(132)	Food Preparation Technician	<u>15</u>	GRADE C102
19		MAX. NO. OF EMPLOYEES	734	

20

21 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the  
 22 Henderson State University for the 2009-2010 fiscal year, the following  
 23 maximum number of part-time or temporary employees, to be known as "Extra  
 24 Help", payable from funds appropriated herein for such purposes: nine  
 25 hundred fifty (950) temporary or part-time employees, when needed, at rates  
 26 of pay not to exceed those provided in the Uniform Classification and  
 27 Compensation Act, or its successor, or this act for the appropriate  
 28 classification.

29

30 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,  
 31 to the Henderson State University, to be payable from the Henderson State  
 32 University Fund, for personal services and operating expenses of the  
 33 Henderson State University for the fiscal year ending June 30, 2010, the  
 34 following:

35

36 ITEM FISCAL YEAR

1	<u>NO.</u>	<u>2009-2010</u>
2	(01) REGULAR SALARIES	\$ 16,099,503
3	(02) EXTRA HELP	25,000
4	(03) PERSONAL SERV MATCHING	3,041,843
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	1,888,189
7	(B) CONF. & TRAVEL	0
8	(C) PROF. FEES	0
9	(D) CAP. OUTLAY	484,867
10	(E) DATA PROC.	0
11	(05) FUNDED DEPRECIATION	<u>118,238</u>
12	TOTAL AMOUNT APPROPRIATED	<u>\$ 21,657,640</u>

13

14 SECTION 4. APPROPRIATION - CASH FUNDS. There is hereby appropriated, to  
 15 the Henderson State University, to be payable from cash funds as defined by  
 16 Arkansas Code 19-4-801 of the Henderson State University, for personal  
 17 services and operating expenses of the Henderson State University for the  
 18 fiscal year ending June 30, 2010, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2009-2010</u>
22	(01) REGULAR SALARIES	\$ 67,504,800
23	(02) EXTRA HELP	4,000,000
24	(03) OVERTIME	750,000
25	(04) PERSONAL SERV MATCHING	18,166,600
26	(05) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	31,500,000
28	(B) CONF. & TRAVEL	3,500,000
29	(C) PROF. FEES	4,500,000
30	(D) CAP. OUTLAY	9,000,000
31	(E) DATA PROC.	2,500,000
32	(06) CAPITAL IMPROVEMENTS	35,000,000
33	(07) DEBT SERVICE	16,500,000
34	(08) FUND TRANS/REFUND/ INVESTMENTS	<u>54,000,000</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 246,921,400</u>

36

1 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD  
3 SERVICE. If Henderson State University cancels the current contract for food  
4 service and chooses to operate the food service with University employees,  
5 the President, upon authorization of the Board of Trustees, is allowed to  
6 utilize the contingent positions contained in Section 1 of this Act, provided  
7 he or she has obtained approval from the Department of Higher Education and  
8 the Chief Fiscal Officer of the State, who has sought prior review by the  
9 Arkansas Legislative Council.

10 The provisions of this section shall be in effect only from July 1, 2007  
11 2009 through June 30, ~~2009~~ 2010.

12  
13 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
15 ALLOWANCE. The Board of Trustees of Henderson State University may make  
16 special allowances available to any coach who coaches more than one sport in  
17 an amount not to exceed \$10,000 per fiscal year for any one coach ~~during each~~  
18 ~~year of the 2007-2009 biennium~~. Further, if the special allowance funds  
19 authorized herein are utilized, Henderson State University shall report  
20 annually to the Legislative Joint Auditing Committee the exact disposition of  
21 those special allowance funds.

22 The provisions of this section shall be in effect only from July 1, 2007  
23 2009 through June 30, ~~2009~~ 2010.

24  
25 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
27 CONSTRUCTION. The Board of Trustees of Henderson State University shall be  
28 included as an exempt institution related to projects exceeding five million  
29 dollars (\$5,000,000) provided that the institution shall have adopted  
30 policies and procedures involving the awarding and oversight of the contracts  
31 for design and construction services in compliance with State Law.

32  
33 *SECTION 8. Arkansas Code Annotated Title 6, Chapter 66, Section 101,*  
34 *concerning the Board of Trustees of Henderson State University, is amended to*  
35 *read as follows:*

36 *(f) ~~(1)~~ Before entering upon his or her respective duties, the trustee*

1 shall make and subscribe to an affidavit to faithfully, diligently, and  
2 impartially discharge the duties of his or her office, regardless of the  
3 requirements of Arkansas Code Annotated 25-17-207. each board member shall  
4 take and subscribe and file in the office of the Secretary of State an oath  
5 to support the United States Constitution and the Arkansas Constitution and  
6 to faithfully perform the duties of the office upon which he or she is about  
7 to enter and that he or she will not be or become interested, directly or  
8 indirectly, in any contract made by the board.

9 ~~— (2) (A) Any violation of the oath shall be a Class B misdemeanor.~~

10 ~~— (B) Any contract entered into in violation of the oath shall be~~  
11 ~~void.~~

12  
13 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
15 BALANCES. The Board of Trustees in its official governing capacity charged  
16 with the management or control of the institution of higher learning and the  
17 President or Chancellor as the Chief Executive shall certify to the Chief  
18 Fiscal Officer of the State and the Legislative Council that as of December  
19 31 of each year that sufficient appropriations and funds are available, or  
20 will become available, to meet all current and anticipated obligations during  
21 the fiscal year for the payment of the obligations when they become due.  
22 This certification, signed by the Chair of the Board of Trustees and the  
23 President or Chancellor will be forwarded by February 28 of each year or upon  
24 release of the previous year's audit by Legislative Audit to the Chief Fiscal  
25 Officer of the State and the Legislative Council accompanied by the Board  
26 approved published annual financial statement for the preceding fiscal year.

27 The provisions of this section shall be in effect only from July 1, ~~2007~~  
28 2009 through June 30, ~~2009~~ 2010.

29  
30 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
31 by this act shall be limited to the appropriation for such agency and funds  
32 made available by law for the support of such appropriations; and the  
33 restrictions of the State Procurement Law, the General Accounting and  
34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
35 Procedures and Restrictions Act, the Higher Education Expenditures  
36 Restrictions Act, or their successors, and other fiscal control laws of this

1 State, where applicable, and regulations promulgated by the Department of  
2 Finance and Administration, as authorized by law, shall be strictly complied  
3 with in disbursement of said funds.

4  
5 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly  
6 that any funds disbursed under the authority of the appropriations contained  
7 in this act shall be in compliance with the stated reasons for which this act  
8 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
9 and Legislative Recommendations contained in the budget manuals prepared by  
10 the Department of Finance and Administration, letters, or summarized oral  
11 testimony in the official minutes of the Arkansas Legislative Council or  
12 Joint Budget Committee which relate to its passage and adoption.

13  
14 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General  
15 Assembly, that the Constitution of the State of Arkansas prohibits the  
16 appropriation of funds for more than a one (1) year period; that the  
17 effectiveness of this Act on July 1, 2009 is essential to the operation of  
18 the agency for which the appropriations in this Act are provided, and that in  
19 the event of an extension of the Regular Session, the delay in the effective  
20 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
21 proper administration and provision of essential governmental programs.  
22 Therefore, an emergency is hereby declared to exist and this Act being  
23 necessary for the immediate preservation of the public peace, health and  
24 safety shall be in full force and effect from and after July 1, 2009.

25  
26 /s/ Joint Budget Committee

27  
28 **APPROVED: 3/25/2009**