

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 831 of the Regular Session

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

As Engrossed: H3/6/09

A Bill

HOUSE BILL 1521

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 FISCAL YEAR ENDING JUNE 30, 2010; AND FOR
16 OTHER PURPOSES.

Subtitle

17
18
19 AN ACT FOR THE UNIVERSITY OF ARKANSAS
20 FOR MEDICAL SCIENCES - DONALD W.
21 REYNOLDS CENTER ON AGING, COLLEGE OF
22 PUBLIC HEALTH, ARKANSAS BIOSCIENCES
23 INSTITUTE AND THE AREA HEALTH EDUCATION
24 CENTER IN HELENA APPROPRIATION.
25
26
27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
29

30 SECTION 1. REGULAR SALARIES - REYNOLDS CENTER ON AGING, COLLEGE OF PUBLIC
31 HEALTH, BIOSCIENCES INSTITUTE AND AREA HEALTH EDUCATION CENTER - HELENA.

32 There is hereby established for the University of Arkansas for Medical
33 Sciences - Reynolds Center on Aging, College of Public Health, Biosciences
34 Institute and Area Health Education Center - Helena for the 2009-2010 fiscal
35 year, the following maximum number of regular employees whose salaries shall



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

Item	Maximum	Maximum Annual
No. Title	No. of	Salary Rate
	Employees	Fiscal Year
		2009-2010
<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	\$76,514
(02) Project/Program Specialist	4	\$66,016
<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		\$151,463
Associate Professor		\$139,770
Assistant Professor		\$131,968
Instructor		\$106,041
(05) Education Coordinator	1	\$109,000
(06) Research Assistant	1	\$71,707
<u>UAMS ARKANSAS COLLEGE OF PUBLIC HEALTH</u>		
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
<u>ADMINISTRATIVE POSITIONS</u>		
(07) Project/Program Director	1	\$84,433
(08) Project/Program Specialist	1	\$66,016
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		

1	<u>CLASSIFIED POSITIONS</u>		
2	(09) Research Technologist	1	GRADE C119
3	(10) Administrative Specialist III	3	GRADE C112
4	(11) Administrative Specialist II	1	GRADE C109
5	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
6	<u>ACADEMIC POSITIONS</u>		
7	(12) Dean	1	\$225,136
8	(13) Department Chairperson	5	\$159,270
9	(14) Associate Dean	1	\$152,365
10	(15) Faculty Pool	6	
11	Professor		\$151,463
12	Associate Professor		\$139,770
13	Assistant Professor		\$131,968
14	<u>ARKANSAS BIOSCIENCES INSTITUTE</u>		
15	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
16	<u>ADMINISTRATIVE POSITIONS</u>		
17	(16) Director of Biosciences Institute	1	\$236,784
18	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
19	<u>CLASSIFIED POSITIONS</u>		
20	(17) Research Technologist	6	GRADE C119
21	(18) Research Technician	4	GRADE C109
22	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
23	<u>ACADEMIC POSITIONS</u>		
24	(19) Faculty Pool	24	
25	Research Professor		\$147,923
26	Research Associate Professor		\$139,769
27	Research Assistant Professor		\$131,968
28	Research Instructor		\$90,802
29	(20) Post Doctoral Fellow	6	\$91,487
30	(21) Graduate Assistant	4	\$35,688
31	<u>UAMS AREA HEALTH EDUCATION CENTER IN</u>		
32	<u>HELENA TWELVE MONTH EDUCATIONAL AND</u>		
33	<u>GENERAL ADMINISTRATIVE POSITIONS</u>		
34	(22) Administrative Support Pool	17	
35	Project/Program Director		\$84,433
36	Project/Program Manager		\$76,514

1	Project/Program Specialist		\$66,016
2	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
3	<u>CLASSIFIED POSITIONS</u>		
4	(23) Administrative Specialist III	2	GRADE C112
5	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
6	<u>ACADEMIC POSITIONS</u>		
7	(24) Assistant Professor	1	\$131,968
8	(25) Clinic Instructor	<u>1</u>	\$106,042
9	MAX. NO. OF EMPLOYEES	113	

10

11 SECTION 2. APPROPRIATION - DONALD W. REYNOLDS CENTER ON AGING. There is
 12 hereby appropriated, to the University of Arkansas for Medical Sciences, to
 13 be payable from the Targeted State Needs Program Account of the Tobacco
 14 Settlement Program Fund, for personal services and operating expenses of the
 15 University of Arkansas for Medical Sciences - Donald W. Reynolds Center on
 16 Aging for the fiscal year ending June 30, 2010, the following:

17

18	ITEM		FISCAL YEAR
19	<u>NO.</u>		<u>2009-2010</u>
20	(01) REGULAR SALARIES	\$	1,132,959
21	(02) PERSONAL SERV MATCHING		276,765
22	(03) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE		603,713
24	(B) CONF. & TRAVEL		52,128
25	(C) PROF. FEES		0
26	(D) CAP. OUTLAY		55,231
27	(E) DATA PROC.		<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	\$	<u>2,120,796</u>

29

30 SECTION 3. APPROPRIATION - COLLEGE OF PUBLIC HEALTH. There is hereby
 31 appropriated, to the University of Arkansas for Medical Sciences, to be
 32 payable from the Targeted State Needs Program Account of the Tobacco
 33 Settlement Program Fund, for personal services and operating expenses of the
 34 University of Arkansas for Medical Sciences - College of Public Health 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) REGULAR SALARIES	\$ 2,097,197
4	(02) PERSONAL SERV MATCHING	567,112
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	278,308
7	(B) CONF. & TRAVEL	38,048
8	(C) PROF. FEES	0
9	(D) CAP. OUTLAY	40,388
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,021,053</u>

12

13 SECTION 4. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby
 14 appropriated, to the University of Arkansas for Medical Sciences, to be
 15 payable from the Arkansas Biosciences Institute Program Account of the
 16 Tobacco Settlement Program Fund, for personal services and operating expenses
 17 of the University of Arkansas for Medical Sciences - Arkansas Biosciences
 18 Institute 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) REGULAR SALARIES	\$ 1,407,267
23	(02) PERSONAL SERV MATCHING	337,875
24	(03) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	1,042,499
26	(B) CONF. & TRAVEL	23,960
27	(C) PROF. FEES	37,940
28	(D) CAP. OUTLAY	1,434,680
29	(E) DATA PROC.	0
30	(04) ARKANSAS CHILDRENS HOSPITAL	
31	RESEARCH PROGRAM	<u>1,896,736</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 6,180,957</u>

33

34 SECTION 5. APPROPRIATION - AREA HEALTH EDUCATION CENTER IN HELENA. There
 35 is hereby appropriated, to the University of Arkansas for Medical Sciences,
 36 to be payable from the Targeted State Needs Program Account of the Tobacco

1 Settlement Program Fund, for personal services and operating expenses of the
 2 University of Arkansas for Medical Sciences - Area Health Education Center in
 3 Helena for the fiscal year ending June 30, 2010, the following:

4

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2009-2010</u>
7 (01) REGULAR SALARIES	\$ 1,132,959
8 (02) PERSONAL SERV MATCHING	276,765
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	603,713
11 (B) CONF. & TRAVEL	52,128
12 (C) PROF. FEES	0
13 (D) CAP. OUTLAY	55,231
14 (E) DATA PROC.	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,120,796</u>

16

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

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

- 25 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set
 26 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~
 27 funding to the Department of Finance and Administration Office of Budget;
 28 (2) The Department of Finance and Administration Office of Budget shall
 29 report to the Arkansas Legislative Council all amounts carried forward ~~from~~
 30 ~~the first fiscal year of the biennium to the second fiscal year of the~~
 31 ~~biennium~~ by the September Arkansas Legislative Council or Joint Budget
 32 Committee meeting ~~in the second fiscal year of the biennial period~~ which
 33 report shall include the name of the Agency, Board, Commission or Institution
 34 and the amount of the ~~appropriation and/or~~ funding carried forward ~~from the~~
 35 ~~first fiscal year to the second fiscal year~~, the program name or line item,
 36 the funding source ~~of that appropriation~~ and a copy of the written request

1 set forth in (1) above;

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

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

14 ~~The provisions of this section shall be in effect only from July 1,~~
15 ~~2007 through June 30, 2009.~~

16

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

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

35

36 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
2 RESTRICTIONS. The appropriations provided in this act shall not be
3 transferred under the provisions of Arkansas Code 19-4-522 ~~or the provisions~~
4 ~~of Arkansas Code 6-62-104~~, but only as provided by this act.

5 The provisions of this section shall be in effect only from July 1,
6 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

7
8 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
10 PROVISIONS. The state-supported institution of higher education in this act
11 may transfer appropriations between the various line items within each
12 appropriation contained in this appropriation act. Such transfers shall be
13 made only after the approval of the Department of Higher Education and the
14 Chief Fiscal Officer of the State, and the approval of the Legislative
15 Council.

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

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

30
31 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
33 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
34 State of Arkansas or any of its agencies or institutions to continue funding
35 any position paid from the proceeds of the Tobacco Settlement in the event
36 that Tobacco Settlement funds are not sufficient to finance the position.

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

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

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

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

12
13 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

15 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act
16 shall be limited to the appropriation for such agency and funds made
17 available by law for the support of such appropriations; and the restrictions
18 of the State Purchasing Law, the General Accounting and Budgetary Procedures
19 Law, the Regular Salary Procedures and Restrictions Act, or their successors,
20 and other fiscal control laws of this State, where applicable, and
21 regulations promulgated by the Department of Finance and Administration, as
22 authorized by law, shall be strictly complied with in disbursement of said
23 funds.

24
25 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

27 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds
28 disbursed under the authority of the appropriations contained in this act
29 shall be in compliance with the stated reasons for which this act was
30 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
31 Executive Recommendations and Legislative Recommendations contained in the
32 budget manuals prepared by the Department of Finance and Administration,
33 letters, or summarized oral testimony in the official minutes of the Arkansas
34 Legislative Council or Joint Budget Committee which relate to its passage and
35 adoption.

36

