

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1321

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE ARKANSAS STATE
10 UNIVERSITY - ARKANSAS BIOSCIENCES INSTITUTE FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER
12 PURPOSES.
13
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Subtitle

15 AN ACT FOR THE ARKANSAS STATE UNIVERSITY
16 - ARKANSAS BIOSCIENCES INSTITUTE
17 APPROPRIATION FOR THE 2013-2014 FISCAL
18 YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - ARKANSAS BIOSCIENCES INSTITUTE. There is
25 hereby established for the Arkansas State University - Arkansas Biosciences
26 Institute for the 2013-2014 fiscal year, the following maximum number of
27 regular employees.
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Item		Maximum	Maximum Annual
No.	Title	No. of	Salary Rate
		Employees	Fiscal Year
			2013-2014
	<u>ARKANSAS BIOSCIENCES INSTITUTE</u>		
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
	<u>ADMINISTRATIVE POSITIONS</u>		
(1)	Exec Director of Biosciences Inst	1	\$181,298



1	(2)	Director, Research & Tech Transfer	1	\$169,965
2	(3)	Asst Director, Biosciences Institute	1	\$95,661
3	(4)	Project/Program Administrator	6	
4		Project/Program Director		\$95,028
5		Project/Program Manager		\$86,118
6		Project/Program Specialist		\$74,301
7	(5)	Research Assistant	6	\$61,646
8		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
9		<u>CLASSIFIED POSITIONS</u>		
10	(6)	Skilled Tradesman	1	GRADE C115
11	(7)	Administrative Specialist III	3	GRADE C112
12	(8)	Laboratory Coordinator	1	GRADE C111
13	(9)	Institutional Svcs Assistant	3	GRADE C103
14		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
15		<u>ACADEMIC POSITIONS</u>		
16	(10)	Faculty	14	
17		Research Professor		\$166,489
18		Research Associate Professor		\$157,311
19		Research Assistant Professor		\$148,531
20		Research Instructor		\$102,198
21	(11)	Research Associate	6	\$102,969
22	(12)	Research Graduate Assistant	<u>6</u>	\$40,168
23		MAX. NO. OF EMPLOYEES	49	

25 SECTION 2. EXTRA HELP - ARKANSAS BIOSCIENCES INSTITUTE. There is
 26 hereby authorized, for the Arkansas State University - Arkansas Biosciences
 27 Institute for the 2013-2014 fiscal year, the following maximum number of
 28 part-time or temporary employees, to be known as "Extra Help", payable from
 29 funds appropriated herein for such purposes: fifty (50) temporary or part-
 30 time employees, when needed, at rates of pay not to exceed those provided in
 31 the Uniform Classification and Compensation Act, or its successor, or this
 32 act for the appropriate classification.

34 SECTION 3. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is
 35 hereby appropriated, to the Arkansas State University, to be payable from the
 36 Arkansas Biosciences Institute Program Account of the Tobacco Settlement

1 Program Fund, for personal services and operating expenses of the Arkansas
 2 State University - Arkansas Biosciences Institute for the fiscal year ending
 3 June 30, 2014, the following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2013-2014</u>
7 (01) REGULAR SALARIES	\$2,183,519
8 (02) EXTRA HELP	15,450
9 (03) PERSONAL SERVICES MATCHING	563,273
10 (04) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	2,551,160
12 (B) CONF. & TRAVEL	0
13 (C) PROF. FEES	0
14 (D) CAP. OUTLAY	166,054
15 (E) DATA PROC.	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$5,479,456</u></u>

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

23 The provisions of this section shall be in effect only from July 1, ~~2012~~
 24 2013 through June 30, ~~2013~~ 2014.

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 26 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 28 PROVISIONS. The state-supported institution of higher education in this act
 29 may transfer appropriations between the various line items within each
 30 appropriation contained in this appropriation act. Such transfers shall be
 31 made only after the approval of the Department of Higher Education and the
 32 Chief Fiscal Officer of the State, and the approval of the Legislative
 33 Council.

34 The General Assembly has determined that the institution in this act could
 35 be operated more efficiently if some flexibility is given to that institution
 36 and that flexibility is being accomplished by providing authority to transfer

1 between items of appropriation made by this act. Since the General Assembly
2 has granted the institution broad powers under the transfer of
3 appropriations, it is both necessary and appropriate that the General
4 Assembly maintain oversight of the utilization of the transfers by requiring
5 prior approval of the Legislative Council in the utilization of the transfer
6 authority. Therefore, the requirement of approval by the Legislative Council
7 is not a severable part of this section. If the requirement of approval by
8 the Legislative Council is ruled unconstitutional by a court of competent
9 jurisdiction, this entire section is void.

10 The provisions of this section shall be in effect only from July 1, ~~2012~~
11 2013 through June 30, ~~2013~~ 2014.

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13 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
15 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
16 State of Arkansas or any of its agencies or institutions to continue funding
17 any position paid from the proceeds of the Tobacco Settlement in the event
18 that Tobacco Settlement funds are not sufficient to finance the position.
19 (b) State funds will not be used to replace Tobacco Settlement funds when
20 such funds expire, unless appropriated by the General Assembly and authorized
21 by the Governor.
22 (c) A disclosure of the language contained in (a) and (b) of this Section
23 shall be made available to all new hire and current positions paid from the
24 proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.
25 (d) Whenever applicable the information contained in (a) and (b) of this
26 Section shall be included in the employee handbook and/or Professional
27 Services Contract paid from the proceeds of the Tobacco Settlement.

28 The provisions of this section shall be in effect only from July 1, ~~2012~~
29 2013 through June 30, ~~2013~~ 2014.

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31 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
33 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act
34 shall be limited to the appropriation for such agency and funds made
35 available by law for the support of such appropriations; and the restrictions
36 of the State Purchasing Law, the General Accounting and Budgetary Procedures

1 Law, the Regular Salary Procedures and Restrictions Act, or their successors,
 2 and other fiscal control laws of this State, where applicable, and
 3 regulations promulgated by the Department of Finance and Administration, as
 4 authorized by law, shall be strictly complied with in disbursement of said
 5 funds.

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 7 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 9 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds
 10 disbursed under the authority of the appropriations contained in this act
 11 shall be in compliance with the stated reasons for which this act was
 12 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
 13 Executive Recommendations and Legislative Recommendations contained in the
 14 budget manuals prepared by the Department of Finance and Administration,
 15 letters, or summarized oral testimony in the official minutes of the Arkansas
 16 Legislative Council or Joint Budget Committee which relate to its passage and
 17 adoption.

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 19 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
 20 Assembly, that the Constitution of the State of Arkansas prohibits the
 21 appropriation of funds for more than a one (1) year period; that the
 22 effectiveness of this Act on July 1, 2013 is essential to the operation of
 23 the agency for which the appropriations in this Act are provided, and that in
 24 the event of an extension of the legislative session, the delay in the
 25 effective date of this Act beyond July 1, 2013 could work irreparable harm
 26 upon the proper administration and provision of essential governmental
 27 programs. Therefore, an emergency is hereby declared to exist and this Act
 28 being necessary for the immediate preservation of the public peace, health
 29 and safety shall be in full force and effect from and after July 1, 2013.

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 32 **APPROVED: 04/05/2013**
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