

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1374

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, 2012; AND FOR OTHER  
12 PURPOSES.  
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## Subtitle

15 AN ACT FOR THE ARKANSAS STATE UNIVERSITY -  
16 ARKANSAS BIOSCIENCES INSTITUTE  
17 APPROPRIATION FOR THE 2011-2012 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 2011-2012 fiscal year, the following maximum number of  
27 regular employees.  
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Item	No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
		<u>ARKANSAS BIOSCIENCES INSTITUTE</u>		
		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
		<u>ADMINISTRATIVE POSITIONS</u>		
(01)		Exec Director of Biosciences Inst.	1	\$170,890



1	(02)	Director, Research & Tech Transfer	1	\$160,208
2	(03)	Asst Director, Biosciences Institute	1	\$90,170
3	(04)	Project/Program Administrator	6	
4		Project/Program Director		\$89,573
5		Project/Program Manager		\$81,174
6		Project/Program Specialist		\$70,036
7	(05)	Research Assistant	6	\$58,107
8		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
9		<u>CLASSIFIED POSITIONS</u>		
10	(06)	Skilled Tradesman	1	GRADE C115
11	(07)	Administrative Specialist III	3	GRADE C112
12	(08)	Laboratory Coordinator	1	GRADE C111
13	(09)	Institutional Svcs Assistant	2	GRADE C103
14		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
15		<u>ACADEMIC POSITIONS</u>		
16	(10)	Faculty	14	
17		Research Professor		\$156,932
18		Research Associate Professor		\$148,281
19		Research Assistant Professor		\$140,005
20		Research Instructor		\$96,332
21	(11)	Research Associate	6	\$97,058
22	(12)	Research Graduate Assistant	<u>6</u>	\$37,862
23		MAX. NO. OF EMPLOYEES	48	

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25 SECTION 2. EXTRA HELP - ARKANSAS BIOSCIENCES INSTITUTE. There is

26 hereby authorized, for the Arkansas State University – Biosciences Institute

27 for the 2011-2012 fiscal year, the following maximum number of part-time or

28 temporary employees, to be known as "Extra Help", payable from funds

29 appropriated herein for such purposes: fifty (50) temporary or part-time

30 employees, when needed, at rates of pay not to exceed those provided in the

31 Uniform Classification and Compensation Act, or its successor, or this act

32 for the appropriate classification.

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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, for personal services and

1 operating expenses of the Arkansas State University - Arkansas Biosciences  
 2 Institute for the fiscal year ending June 30, 2012, the following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2011-2012</u>
6 (01) REGULAR SALARIES	\$2,048,233
7 (02) EXTRA HELP	15,000
8 (03) PERSONAL SERV MATCHING	528,374
9 (04) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	2,393,096
11 (B) CONF. & TRAVEL	0
12 (C) PROF. FEES	0
13 (D) CAP. OUTLAY	155,258
14 (E) DATA PROC.	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u><u>\$5,139,961</u></u>

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

22 The provisions of this section shall be in effect only from July 1,  
 23 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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

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

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

9 The provisions of this section shall be in effect only from July 1,  
10 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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

27 The provisions of this section shall be in effect only from July 1,  
28 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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

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

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 6 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds  
 9 disbursed under the authority of the appropriations contained in this act  
 10 shall be in compliance with the stated reasons for which this act was  
 11 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,  
 12 Executive Recommendations and Legislative Recommendations contained in the  
 13 budget manuals prepared by the Department of Finance and Administration,  
 14 letters, or summarized oral testimony in the official minutes of the Arkansas  
 15 Legislative Council or Joint Budget Committee which relate to its passage and  
 16 adoption.

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 18 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
 19 Assembly, that the Constitution of the State of Arkansas prohibits the  
 20 appropriation of funds for more than a one (1) year period; that the  
 21 effectiveness of this Act on July 1, 2011 is essential to the operation of  
 22 the agency for which the appropriations in this Act are provided, and that in  
 23 the event of an extension of the legislative session, the delay in the  
 24 effective date of this Act beyond July 1, 2011 could work irreparable harm  
 25 upon the proper administration and provision of essential governmental  
 26 programs. Therefore, an emergency is hereby declared to exist and this Act  
 27 being necessary for the immediate preservation of the public peace, health  
 28 and safety shall be in full force and effect from and after July 1, 2011.

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 31 **APPROVED: 04/01/2011**  
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