

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.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/28/01

A Bill

HOUSE BILL 1745

5 By: Joint Budget Committee
6
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
10 STATE UNIVERSITY FOR PERSONAL SERVICES AND
11 OPERATING EXPENSES FOR THE OPERATIONS OF THE
12 ARKANSAS BIOSCIENCES INSTITUTE; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15 AN ACT FOR THE ARKANSAS STATE UNIVERSITY
16 – ARKANSAS BIOSCIENCES INSTITUTE
17 APPROPRIATION.
18
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES – ARKANSAS BIOSCIENCES INSTITUTE -
24 OPERATIONS. There is hereby established for the Arkansas State University -
25 Arkansas Biosciences Institute, for the 2001-03 biennium, 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.
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36

Maximum Annual

Item No.	Title	Maximum No. of Employees	Salary Rate 2001-2002	Salary Rate 2002-2003
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ADMINISTRATIVE POSITIONS</u>				
(1)	Exec Director of Biosciences Institutes	1	\$135,000	\$138,510
(2)	Intellectual Property Attorney	1	125,000	128,250
(3)	Project/Program Administrators	4		
	Project/Program Director		69,596	71,545
	Project/Program Manager		62,905	64,666
	Project/Program Specialist		54,031	55,544
(4)	Research Assistant	3	44,432	45,676
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>CLASSIFIED POSITIONS</u>				
(5)	Accounting Supervisor I	1		Grade 20
(6)	Accountant	3		Grade 18
(7)	Administrative Assistant II	1		Grade 17
(8)	Skilled Trades Worker	2		Grade 17
(9)	Accounting Tech II	2		Grade 15
(10)	Secretary II	3		Grade 13
(11)	Custodial Worker II	2		Grade 04
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ACADEMIC POSITIONS</u>				
(12)	Faculty	14		
	Research Professor		123,700	126,917
	Research Associate Professor		116,700	119,734
	Research Assistant Professor		110,003	112,863
	Research Instructor		65,934	76,780
(13)	Research Associate	2	75,266	77,373
(14)	Research Graduate Assistant	<u>10</u>	29,009	29,763
	Max. No. of Positions	49		

SECTION 2. APPROPRIATION – ARKANSAS BIOSCIENCES INSTITUTE. There is hereby appropriated, to the Arkansas State University – Arkansas Biosciences Institute, to be payable from the Arkansas Biosciences Institute Program Account of the Tobacco Settlement Program Fund, for personal services and

1 maintenance and operations of the Arkansas State University - Arkansas
 2 Biosciences Institute, for the biennial period ending June 30, 2003, the
 3 following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 100,000	\$ 2,015,084
(02) PERSONAL SERVICES MATCHING	30,000	544,525
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	242,500	717,175
(B) CONF. & TRAVEL	0	120,000
(C) PROF. FEES	860,000	340,000
(D) CAPITAL OUTLAY	411,380	537,304
(E) DATA PROC	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,643,880</u>	<u>\$4,274,088</u>

17 SECTION 3. 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.

23 SECTION 4. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 25 RESTRICTIONS. The appropriations provided in this act shall not be
 26 transferred under the provisions of Arkansas Code 19-4-522 or the provisions
 27 of Arkansas Code 6-62-104, but only as provided by this act.

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

1 The General Assembly has determined that the institution in this act
 2 could be operated more efficiently if some flexibility is given to that
 3 institution and that flexibility is being accomplished by providing authority
 4 to transfer between items of appropriation made by this act. Since the
 5 General Assembly has granted the institution broad powers under the transfer
 6 of appropriations, it is both necessary and appropriate that the General
 7 Assembly maintain oversight of the utilization of the transfers by requiring
 8 prior approval of the Legislative Council in the utilization of the transfer
 9 authority. Therefore, the requirement of approval by the Legislative Council
 10 is not a severable part of this section. If the requirement of approval by
 11 the Legislative Council is ruled unconstitutional by a court jurisdiction,
 12 this entire section is void.

13
 14 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS.
 16 Nothing in this act shall be construed as a commitment of the State of
 17 Arkansas or any of its agencies or institutions to continue funding any
 18 position paid from the proceeds of the Tobacco Settlement in the event that
 19 Tobacco Settlement funds are not sufficient to finance the position.

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 21 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 23 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act
 24 shall be limited to the appropriation for such agency and funds made
 25 available by law for the support of such appropriations; and the restrictions
 26 of the State Purchasing Law, the General Accounting and Budgetary Procedures
 27 Law, ~~the Revenue Stabilization Law,~~ the Regular Salary Procedures and
 28 Restrictions Act, or their successors, and other fiscal control laws of this
 29 State, where applicable, and regulations promulgated by the Department of
 30 Finance and Administration, as authorized by law, shall be strictly complied
 31 with in disbursement of said funds.

32
 33 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General
 34 Assembly that any funds disbursed under the authority of the appropriations
 35 contained in this act shall be in compliance with the stated reasons for
 36 which this act was adopted, as evidenced by Initiated Act 1 of 2000, the

1 Agency Requests, Executive Recommendations and Legislative Recommendations
2 contained in the budget manuals prepared by the Department of Finance and
3 Administration, letters, or summarized oral testimony in the official minutes
4 of the Arkansas Legislative Council or Joint Budget Committee which relate to
5 its passage and adoption.

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7 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
8 Eighty-third General Assembly, that the Constitution of the State of Arkansas
9 prohibits the appropriation of funds for more than a two (2) year period;
10 that the effectiveness of this Act on July 1, 2001 is essential to the
11 operation of the agency for which the appropriations in this Act are
12 provided, and that in the event of an extension of the Regular Session, the
13 delay in the effective date of this Act beyond July 1, 2001 could work
14 irreparable harm upon the proper administration and provision of essential
15 governmental programs. Therefore, an emergency is hereby declared to exist
16 and this Act being necessary for the immediate preservation of the public
17 peace, health and safety shall be in full force and effect from and after
18 July 1, 2001.

19 */s/ Joint Budget Committee*