

State of Arkansas
84th General Assembly
Regular Session, 2003

A Bill

HOUSE BILL 1633

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
STATE UNIVERSITY FOR PERSONAL SERVICES AND
OPERATING EXPENSES FOR THE OPERATIONS OF THE
ARKANSAS BIOSCIENCES INSTITUTE; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS STATE
UNIVERSITY - ARKANSAS BIOSCIENCES
INSTITUTE APPROPRIATION FOR THE
2003-2005 BIENNIUM.

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

SECTION 1. REGULAR SALARIES - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby established for the Arkansas State University - Arkansas Biosciences Institute for the 2003-2005 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.



		Maximum Annual		
		Maximum	Salary Rate	
Item		No. of	Fiscal Years	
No.	Title	Employees	2003-2004	2004-2005
	<u>ARKANSAS BIOSCIENCE INSTITUTE</u>			
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
	<u>ADMINISTRATIVE POSITIONS</u>			
(1)	Exec Dir of Biosciences Institute	1	\$141,299	\$144,127
(2)	Director, Research & Tech Transfer	1	\$131,585	\$135,006
(3)	Asst Director, Bio Institute	1	\$73,405	\$75,314
(4)	Project/Program Administrator	3		
	Project/Program Director		\$73,304	\$75,097
	Project/Program Manager		\$66,295	\$67,955
	Project/Program Specialist		\$56,999	\$58,482
(5)	Research Assistant	3	\$46,910	\$48,177
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
	<u>CLASSIFIED POSITIONS</u>			
(6)	Accounting Supervisor I	1	GRADE 20	
(7)	Plant Maintenance Coordinator	1	GRADE 20	
(8)	Accountant	2	GRADE 18	
(9)	Administrative Assistant II	1	GRADE 17	
(10)	Skilled Trades Worker	2	GRADE 17	
(11)	Accounting Tech II	1	GRADE 15	
(12)	Administrative Secretary	3	GRADE 14	
(13)	Greenhouse Technician	1	GRADE 14	
(14)	Custodial Worker II	2	GRADE 4	
	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
	<u>ACADEMIC POSITIONS</u>			
(15)	Faculty	14		
	Research Professor		\$129,544	\$132,208
	Research Associate Professor		\$122,260	\$124,822
	Research Assistant Professor		\$115,293	\$117,757
	Research Instructor		\$78,639	\$80,533
(16)	Research Associate	6	\$79,243	\$81,149
(17)	Research Graduate Assistant	<u>6</u>	\$30,567	\$31,392
	MAX. NO. OF EMPLOYEES	49		

SECTION 2. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby appropriated, to the Arkansas State University, to be payable from the Arkansas Biosciences Institute Program Account, for personal services and maintenance and operations of the Arkansas State University - Arkansas Biosciences Institute for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 2,317,370	\$ 2,317,370
(02) PERSONAL SERV MATCHING	626,197	626,197
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	824,771	824,771
(B) CONF. & TRAVEL	137,970	137,970
(C) PROF. FEES	391,004	391,004
(D) CAP. OUTLAY	617,890	617,890
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,915,202</u>	<u>\$ 4,915,202</u>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. Such appropriation as is authorized in this Act which remains at the end of the first fiscal year of the biennium may be carried forward into the second fiscal year of the biennium there to be used for the same purposes.

The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.

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

The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.

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

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

The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.

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

POSITIONS. (a) Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

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

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

(d) Whenever applicable the information contained in (a) and (b) of this

1 Section shall be included in the employee handbook and or Professional
2 Services Contract paid from the proceeds of the Tobacco Settlement.

3 The provisions of this section shall be in effect only from July 1, 2003
4 through June 30, 2005.

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6 SECTION 7. SPECIAL LANGUAGE. COMPLIANCE WITH OTHER LAWS. Disbursement
7 of funds authorized by this act shall be limited to the appropriation for
8 such agency and funds made available by law for the support of such
9 appropriations; and the restrictions of the State Purchasing Law, the General
10 Accounting and Budgetary Procedures Law, the Regular Salary Procedures and
11 Restrictions Act, or their successors, and other fiscal control laws of this
12 State, where applicable, and regulations promulgated by the Department of
13 Finance and Administration, as authorized by law, shall be strictly complied
14 with in disbursement of said funds.

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16 SECTION 8. SPECIAL LANGUAGE. LEGISLATIVE INTENT. It is the intent of
17 the General Assembly that any funds disbursed under the authority of the
18 appropriations contained in this act shall be in compliance with the stated
19 reasons for which this act was adopted, as evidenced by Initiated Act 1 of
20 2000, the Agency Requests, Executive Recommendations and Legislative
21 Recommendations contained in the budget manuals prepared by the Department of
22 Finance and Administration, letters, or summarized oral testimony in the
23 official minutes of the Arkansas Legislative Council or Joint Budget
24 Committee which relate to its passage and adoption.

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26 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
27 Assembly, that the Constitution of the State of Arkansas prohibits the
28 appropriation of funds for more than a two (2) year period; that the
29 effectiveness of this Act on July 1, 2003 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the Regular Session, the delay in the effective
32 date of this Act beyond July 1, 2003 could work irreparable harm upon the
33 proper administration and provision of essential governmental programs.
34 Therefore, an emergency is hereby declared to exist and this Act being
35 necessary for the immediate preservation of the public peace, health and
36 safety shall be in full force and effect from and after July 1, 2003.

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