

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 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 1504

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

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

15 AN ACT FOR THE ARKANSAS STATE
16 UNIVERSITY - ARKANSAS BIOSCIENCES
17 INSTITUTE APPROPRIATION FOR THE
18 2005-2007 BIENNIUM.
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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 2005-2007 biennium, the following maximum number of regular
27 employees whose salaries shall be governed by the provisions of the Uniform
28 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
29 its successor, and all laws amendatory thereto. Provided, however, that any
30 position to which a specific maximum annual salary is set out herein in
31 dollars, shall be exempt from the provisions of said Uniform Classification
32 and Compensation Act. All persons occupying positions authorized herein are
33 hereby governed by the provisions of the Regular Salaries Procedures and
34 Restrictions Act (Arkansas Code §21-5-101), or its successor.
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Maximum Annual



| Item No. | Title | Maximum No. of Employees | Salary Rate 2005-2006 | Salary Rate 2006-2007 |
|--|--------------------------------------|--------------------------|-----------------------|-----------------------|
| <u>ARKANSAS BIOSCIENCE INSTITUTE</u> | | | | |
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u> | | | | |
| (1) | Exec Director of Biosciences Institu | 1 | \$147,199 | \$150,317 |
| (2) | Director, Research & Tech Transfer | 1 | \$137,941 | \$140,920 |
| (3) | Asst Director, Biosciences Institute | 1 | \$77,295 | \$79,314 |
| (4) | Project/Program Administrator | 3 | | |
| | Project/Program Director | | \$77,074 | \$79,088 |
| | Project/Program Manager | | \$69,796 | \$71,672 |
| | Project/Program Specialist | | \$60,143 | \$61,836 |
| (5) | Research Assistant | 3 | \$49,622 | \$51,111 |
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL 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) | Laboratory Coordinator | 1 | | GRADE 15 |
| (13) | Administrative Secretary | 3 | | GRADE 14 |
| (14) | Greenhouse Technician | 1 | | GRADE 14 |
| (15) | Custodial Worker II | 2 | | GRADE 4 |
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS</u> | | | | |
| (16) | Faculty | 14 | | |
| | Research Professor | | \$135,101 | \$138,038 |
| | Research Associate Professor | | \$127,604 | \$130,428 |
| | Research Assistant Professor | | \$120,433 | \$123,149 |
| | Research Instructor | | \$82,613 | \$84,733 |
| (17) | Research Associate | 6 | \$83,241 | \$85,373 |
| (18) | Research Graduate Assistant | 6 | \$32,334 | \$33,304 |
| | MAX. NO. OF EMPLOYEES | 50 | | |

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, 2007, the following:

| ITEM NO. | FISCAL YEARS | |
|------------------------------|---------------------|---------------------|
| | 2005-2006 | 2006-2007 |
| (01) REGULAR SALARIES | \$ 2,023,228 | \$ 2,230,616 |
| (02) EXTRA HELP | 51,000 | 51,000 |
| (03) PERSONAL SERV MATCHING | 611,035 | 673,341 |
| (04) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 1,209,939 | 1,140,245 |
| (B) CONF. & TRAVEL | 100,000 | 100,000 |
| (C) PROF. FEES | 0 | 0 |
| (D) CAP. OUTLAY | 920,000 | 720,000 |
| (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~~ 2005 through June 30, ~~2005~~ 2007.

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~~ 2005 through June 30, ~~2005~~ 2007.

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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 of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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.

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

4 The provisions of this section shall be in effect only from July 1, 2003
 5 2005 through June 30, ~~2005~~ 2007.

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

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

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 27 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
 28 Assembly, that the Constitution of the State of Arkansas prohibits the
 29 appropriation of funds for more than a two (2) year period; that the
 30 effectiveness of this Act on July 1, 2005 is essential to the operation of
 31 the agency for which the appropriations in this Act are provided, and that in
 32 the event of an extension of the Regular Session, the delay in the effective
 33 date of this Act beyond July 1, 2005 could work irreparable harm upon the
 34 proper administration and provision of essential governmental programs.
 35 Therefore, an emergency is hereby declared to exist and this Act being
 36 necessary for the immediate preservation of the public peace, health and

safety shall be in full force and effect from and after July 1, 2005.

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