

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

A Bill

HOUSE BILL 1553

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES -
12 DONALD W. REYNOLDS CENTER ON AGING, ARKANSAS
13 SCHOOL OF PUBLIC HEALTH, ARKANSAS BIOSCIENCES
14 INSTITUTE AND THE AREA HEALTH EDUCATION CENTER IN
15 HELENA FOR THE BIENNIAL PERIOD ENDING JUNE 30,
16 2007; AND FOR OTHER PURPOSES.
17

Subtitle

18
19 AN ACT FOR THE UNIVERSITY OF ARKANSAS
20 FOR MEDICAL SCIENCES - REYNOLDS CENTER
21 ON AGING, SCHOOL OF PUBLIC HEALTH,
22 ARKANSAS BIOSCIENCES INSTITUTE AND AREA
23 HEALTH EDUCATION CENTER IN HELENA
24 APPROPRIATION FOR THE 2005-2007 BIENNIUM
25
26
27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
29

30 SECTION 1. REGULAR SALARIES – UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES
31 - DONALD W. REYNOLDS CENTER ON AGING - OPERATIONS. There is hereby
32 established for the University of Arkansas for Medical Sciences - Donald W.
33 Reynolds Center On Aging for the 2005-2007 biennium, the following maximum
34 number of regular employees whose salaries shall be governed by the
35 provisions of the Uniform Classification and Compensation Act (Arkansas Code
36 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.



1 Provided, however, that any position to which a specific maximum annual
 2 salary is set out herein in dollars, shall be exempt from the provisions of
 3 said Uniform Classification and Compensation Act. All persons occupying
 4 positions authorized herein are hereby governed by the provisions of the
 5 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 6 or its successor.

			Maximum Annual	
			Maximum	Salary Rate
Item	Class	No. of	Fiscal Years	
No.	Code Title	Employees	2005-2006	2006-2007
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ADMINISTRATIVE POSITIONS</u>				
(1)	Project/Program Manager	1	\$69,529	\$71,400
(2)	Project/Program Specialist	4	\$59,916	\$61,604
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>CLASSIFIED POSITIONS</u>				
(3)	Administrative Assistant II	1	GRADE 17	
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ACADEMIC POSITIONS</u>				
(4)	Faculty Pool	19		
	Professor		\$138,356	\$141,341
	Associate Professor		\$127,605	\$130,429
	Assistant Professor		\$120,433	\$123,149
	Instructor		\$96,595	\$98,954
(5)	Education Coordinator	1	\$99,316	\$101,716
(6)	Research Assistant	<u>1</u>	\$65,128	\$66,915
	MAX. NO. OF EMPLOYEES	27		

30 SECTION 2. APPROPRIATION - DONALD W. REYNOLDS CENTER ON AGING. There is
 31 hereby appropriated, to the University of Arkansas for Medical Sciences –
 32 Donald W. Reynolds Center on Aging, to be payable from the Targeted State
 33 Needs Program Account of the Tobacco Settlement Program Fund, for personal
 34 services and maintenance and operations of the Donald W. Reynolds Center on
 35 Aging for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 1,345,756	\$ 1,345,756
(02) PERSONAL SERV MATCHING	295,383	295,383
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	606,636	606,636
(B) CONF. & TRAVEL	51,134	51,134
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	25,567	25,567
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,324,476</u>	<u>\$ 2,324,476</u>

12

13 SECTION 3. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES
 14 - ARKANSAS SCHOOL OF PUBLIC HEALTH - OPERATIONS. There is hereby established
 15 for the University of Arkansas for Medical Sciences - Arkansas School Of
 16 Public Health for the 2005-2007 biennium, the following maximum number of
 17 regular employees whose salaries shall be governed by the provisions of the
 18 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
 19 seq.), or its successor, and all laws amendatory thereto. Provided, however,
 20 that any position to which a specific maximum annual salary is set out herein
 21 in dollars, shall be exempt from the provisions of said Uniform
 22 Classification and Compensation Act. All persons occupying positions
 23 authorized herein are hereby governed by the provisions of the Regular
 24 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
 25 successor.

26

Item Class	Maximum No. of Employees	Maximum Annual Salary Rate	
		2005-2006	2006-2007
<u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u>			
(01) Project/Program Director	1	\$76,782	\$78,791
(02) Project/Program Specialist	1	\$59,916	\$61,604
<u>TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS</u>			

36

1	(03)	Systems Analyst II -- Inst	1		GRADE 22
2	(04)	Research Technologist II	1		GRADE 20
3	(05)	Administrative Assistant II	6		GRADE 17
4	(06)	Secretary II	1		GRADE 13
5		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
6		<u>ACADEMIC POSITIONS</u>			
7	(07)	Dean	1	\$206,090	\$210,091
8	(08)	Department Chairperson	5	\$145,533	\$148,626
9	(09)	Associate Dean	1	\$139,184	\$142,182
10	(10)	Faculty Pool	6		
11		Professor		\$138,356	\$141,341
12		Associate Professor		\$127,605	\$130,429
13		Assistant Professor		\$120,433	\$123,149
14		MAX. NO. OF EMPLOYEES	24		

SECTION 4. APPROPRIATION - ARKANSAS SCHOOL OF PUBLIC HEALTH. There is hereby appropriated, to the University of Arkansas for Medical Sciences - Arkansas School Of Public Health, to be payable from the Targeted State Needs Program Account of the Tobacco Settlement Program Fund, for personal services and maintenance and operations of the Arkansas School of Public Health for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) REGULAR SALARIES	\$ 2,468,592	\$ 2,468,592
(02) PERSONAL SERV MATCHING	596,229	596,229
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	233,610	233,610
(B) CONF. & TRAVEL	55,787	55,787
(C) PROF. FEES	76,708	76,708
(D) CAP. OUTLAY	55,787	55,787
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,486,713</u>	<u>\$ 3,486,713</u>

SECTION 5. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - ARKANSAS BIOSCIENCES INSTITUTE - OPERATIONS. There is hereby established

1 for the University of Arkansas for Medical Sciences - Arkansas Biosciences
 2 Institute for the 2005-2007 biennium, the following maximum number of regular
 3 employees whose salaries shall be governed by the provisions of the Uniform
 4 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
 5 its successor, and all laws amendatory thereto. Provided, however, that any
 6 position to which a specific maximum annual salary is set out herein in
 7 dollars, shall be exempt from the provisions of said Uniform Classification
 8 and Compensation Act. All persons occupying positions authorized herein are
 9 hereby governed by the provisions of the Regular Salaries Procedures and
 10 Restrictions Act (Arkansas Code §21-5-101), or its successor.

11				
12			Maximum Annual	
13			Salary Rate	
14	Item Class		No. of	Fiscal Years
15	No. Code Title	Employees	2005-2006	2006-2007
16	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
17	<u>ADMINISTRATIVE POSITIONS</u>			
18	(1) Director of Biosciences Institute	1	\$216,798	\$220,960
19	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
20	<u>CLASSIFIED POSITIONS</u>			
21	(2) Research Technologist I	12	GRADE 18	
22	(3) Research Technician II	12	GRADE 13	
23	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
24	<u>ACADEMIC POSITIONS</u>			
25	(4) Faculty Pool	24		
26	Research Professor		\$135,101	\$138,038
27	Research Associate Professor		\$127,604	\$130,428
28	Research Assistant Professor		\$120,433	\$123,149
29	Research Instructor		\$82,613	\$84,733
30	(5) Post Doctoral Fellow	6	\$83,241	\$85,373
31	(6) Graduate Assistant	<u>4</u>	\$32,334	\$33,304
32	MAX. NO. OF EMPLOYEES	59		

33
 34 SECTION 6. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby
 35 appropriated, to the University of Arkansas for Medical Sciences - Arkansas
 36 Biosciences Institute, to be payable from the Arkansas Biosciences Institute

1 Program Account of the Tobacco Settlement Program Fund, for personal services
 2 and maintenance and operations of the University of Arkansas for Medical
 3 Sciences – Arkansas Biosciences Institute for the biennial period ending June
 4 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 1,801,863	\$ 1,801,863
(02) PERSONAL SERV MATCHING	414,552	414,552
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	796,267	796,267
(B) CONF. & TRAVEL	57,463	57,463
(C) PROF. FEES	16,418	16,418
(D) CAP. OUTLAY	1,017,908	1,017,908
(E) DATA PROC.	0	0
(04) ARKANSAS CHILDREN'S HOSPITAL RESEARCH PROGRAM	<u>2,052,205</u>	<u>2,052,205</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 6,156,676</u>	<u>\$ 6,156,676</u>

19
 20 SECTION 7. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES
 21 - AREA HEALTH EDUCATION CENTER IN HELENA - OPERATIONS. There is hereby
 22 established for the University of Arkansas for Medical Sciences - Area Health
 23 Education Center in Helena for the 2005-2007 biennium, the following maximum
 24 number of regular employees whose salaries shall be governed by the
 25 provisions of the Uniform Classification and Compensation Act (Arkansas Code
 26 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
 27 Provided, however, that any position to which a specific maximum annual
 28 salary is set out herein in dollars, shall be exempt from the provisions of
 29 said Uniform Classification and Compensation Act. All persons occupying
 30 positions authorized herein are hereby governed by the provisions of the
 31 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 32 or its successor.

Item Class No. Code Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
		2005-2006	2006-2007

1	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
2	<u>ADMINISTRATIVE POSITIONS</u>			
3	(1) Administrative Support Pool	17		
4	Project/Program Director		\$76,782	\$78,791
5	Project/Program Manager		\$69,529	\$71,400
6	Project/Program Specialist		\$59,916	\$61,604
7	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
8	<u>CLASSIFIED POSITIONS</u>			
9	(2) Administrative Assistant II	2		GRADE 17
10	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
11	<u>ACADEMIC POSITIONS</u>			
12	(3) Assistant Professor	2	\$120,433	\$123,149
13	(4) Clinic Instructor	1	\$96,596	\$98,955
14	(5) RN II - AHEC	2	\$72,333	\$74,257
15	(6) Assistant Instructor	<u>5</u>	\$68,982	\$70,843
16	MAX. NO. OF EMPLOYEES	29		

17

18 SECTION 8. APPROPRIATION - AREA HEALTH EDUCATION CENTER IN HELENA. There

19 is hereby appropriated, to the University of Arkansas for Medical Sciences -

20 Area Health Education Center in Helena, to be payable from the Targeted State

21 Needs Program Account of the Tobacco Settlement Program Fund, for personal

22 services and maintenance and operations of the Area Health Education Center

23 in Helena for the biennial period ending June 30, 2007, the following:

25	ITEM	FISCAL YEARS	
26	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
27	(01) REGULAR SALARIES	\$ 1,201,754	\$ 1,201,754
28	(02) PERSONAL SERV MATCHING	271,964	271,964
29	(03) MAINT. & GEN. OPERATION		
30	(A) OPER. EXPENSE	820,540	820,540
31	(B) CONF. & TRAVEL	9,298	9,298
32	(C) PROF. FEES	0	0
33	(D) CAP. OUTLAY	20,920	20,920
34	(E) DATA PROC.	<u>0</u>	<u>0</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,324,476</u>	<u>\$ 2,324,476</u>

36

1 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 3 FORWARD. Such appropriation as is authorized in this Act which remains at the
 4 end of the first fiscal year of the biennium may be carried forward into the
 5 second fiscal year of the biennium there to be used for the same purposes.

6 The provisions of this section shall be in effect only from July 1, ~~2003~~
 7 2005 through June 30, ~~2005~~ 2007.

8
 9 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 11 CHILDREN'S HOSPITAL RESEARCH PROGRAM. In any fiscal year, if the funds
 12 received by the University of Arkansas for Medical Sciences for the Arkansas
 13 Biosciences Institute under Section 6 of this Act are less than the total
 14 amount appropriated, the University of Arkansas for Medical Sciences shall
 15 provide no less than thirty-three and one-third percent (33 and 1/3%) of the
 16 available funds for the Arkansas Children's Hospital Research Program.
 17 Otherwise, the Arkansas Children's Hospital Research Program line item
 18 appropriation under Section 6 of this Act shall be funded in total or
 19 Arkansas Children's Hospital Chief Executive Officer may request that the
 20 University of Arkansas for Medical Sciences transfer such funds each fiscal
 21 year from the University of Arkansas Medical Center Fund to the Department of
 22 Human Services Grants Fund Account. The transferred funds shall be used to
 23 match federal funds used for Supplemental Medicaid payments to Arkansas
 24 Children's Hospital.

25 The provisions of this section shall be in effect only from July 1, ~~2003~~
 26 2005 through June 30, ~~2005~~ 2007.

27
 28 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 30 RESTRICTIONS. The appropriations provided in this act shall not be
 31 transferred under the provisions of Arkansas Code 19-4-522 or the provisions
 32 of Arkansas Code 6-62-104, but only as provided by this act.

33 The provisions of this section shall be in effect only from July 1, ~~2003~~
 34 2005 through June 30, ~~2005~~ 2007.

35
 36 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
2 PROVISIONS. The state-supported institution of higher education in this act
3 may transfer appropriations between the various line items within each
4 appropriation contained in this appropriation act. Such transfers shall be
5 made only after the approval of the Department of Higher Education and the
6 Chief Fiscal Officer of the State, and the approval of the Legislative
7 Council.

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

20 The provisions of this section shall be in effect only from July 1, 2003
21 2005 through June 30, ~~2005~~ 2007.

22
23 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

35 (d) Whenever applicable the information contained in (a) and (b) of this
36 Section shall be included in the employee handbook and or Professional

1 Services Contract paid from the proceeds of the Tobacco Settlement.

2 The provisions of this section shall be in effect only from July 1, 2003
 3 2005 through June 30, ~~2005~~ 2007.

4
 5 SECTION 14. SPECIAL LANGUAGE. COMPLIANCE WITH OTHER LAWS. Disbursement
 6 of funds authorized by this act shall be limited to the appropriation for
 7 such agency and funds made available by law for the support of such
 8 appropriations; and the restrictions of the State Purchasing Law, the General
 9 Accounting and Budgetary Procedures Law, the Regular Salary Procedures and
 10 Restrictions Act, or their successors, and other fiscal control laws of this
 11 State, where applicable, and regulations promulgated by the Department of
 12 Finance and Administration, as authorized by law, shall be strictly complied
 13 with in disbursement of said funds.

14
 15 SECTION 15. SPECIAL LANGUAGE. LEGISLATIVE INTENT. It is the intent of the
 16 General Assembly that any funds disbursed under the authority of the
 17 appropriations contained in this act shall be in compliance with the stated
 18 reasons for which this act was adopted, as evidenced by Initiated Act 1 of
 19 2000, the Agency Requests, Executive Recommendations and Legislative
 20 Recommendations contained in the budget manuals prepared by the Department of
 21 Finance and Administration, letters, or summarized oral testimony in the
 22 official minutes of the Arkansas Legislative Council or Joint Budget
 23 Committee which relate to its passage and adoption.

24
 25 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General
 26 Assembly, that the Constitution of the State of Arkansas prohibits the
 27 appropriation of funds for more than a two (2) year period; that the
 28 effectiveness of this Act on July 1, 2005 is essential to the operation of
 29 the agency for which the appropriations in this Act are provided, and that in
 30 the event of an extension of the Regular Session, the delay in the effective
 31 date of this Act beyond July 1, 2005 could work irreparable harm upon the
 32 proper administration and provision of essential governmental programs.
 33 Therefore, an emergency is hereby declared to exist and this Act being
 34 necessary for the immediate preservation of the public peace, health and
 35 safety shall be in full force and effect from and after July 1, 2005.