

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/20/07 H3/27/07 H3/29/07

A Bill

HOUSE BILL 1540

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, COLLEGE OF
13 PUBLIC HEALTH, ARKANSAS BIOSCIENCES INSTITUTE AND
14 THE AREA HEALTH EDUCATION CENTER IN HELENA FOR
15 THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR
16 OTHER PURPOSES.

Subtitle

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18
19 AN ACT FOR THE UNIVERSITY OF ARKANSAS
20 FOR MEDICAL SCIENCES - DONALD W.
21 REYNOLDS CENTER ON AGING, COLLEGE OF
22 PUBLIC HEALTH, ARKANSAS BIOSCIENCES
23 INSTITUTE AND AREA HEALTH EDUCATION
24 CENTER IN HELENA APPROPRIATION.
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26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. REGULAR SALARIES - REYNOLDS CENTER ON AGING, COLLEGE OF PUBLIC
30 HEALTH, BIOSCIENCES INSTITUTE AND AREA HEALTH EDUCATION CENTER - HELENA.

31 There is hereby established for the University of Arkansas for Medical
32 Sciences - Reynolds Center on Aging, College of Public Health, Biosciences
33 Institute and Area Health Education Center - Helena for the 2007-2009
34 biennium, the following maximum number of regular employees whose salaries
35 shall be governed by the provisions of the Uniform Classification and
36 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and



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

7				
8			Maximum Annual	
9			Salary Rate	
10	Item		No. of	Fiscal Years
11	No. Title	Employees	2007-2008	2008-2009
12	<u>UAMS DONALD W. REYNOLDS CTR ON AGING</u>			
13	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
14	<u>ADMINISTRATIVE POSITIONS</u>			
15	(1) Project/Program Manager	1	\$72,828	\$74,285
16	(2) Project/Program Specialist	4	\$62,836	\$64,093
17	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
18	<u>CLASSIFIED POSITIONS</u>			
19	(3) Administrative Assistant II	1		GRADE 17
20	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
21	<u>ACADEMIC POSITIONS</u>			
22	(4) Faculty Pool	19		
23	Professor		\$144,168	\$147,051
24	Associate Professor		\$133,038	\$135,699
25	Assistant Professor		\$125,612	\$128,124
26	Instructor		\$100,933	\$102,952
27	(5) Education Coordinator	1	\$103,750	\$105,825
28	(6) Research Assistant	1	\$68,253	\$69,618
29	<u>UAMS ARK COLLEGE OF PUBLIC HEALTH</u>			
30	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
31	<u>ADMINISTRATIVE POSITIONS</u>			
32	(7) Project/Program Director	1	\$80,367	\$81,974
33	(8) Project/Program Specialist	1	\$62,836	\$64,093
34	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
35	<u>CLASSIFIED POSITIONS</u>			
36	(9) Systems Analyst II-Inst	1		GRADE 22

1	(10) Research Technologist II	1		GRADE 20
2	(11) Administrative Assistant II	6		GRADE 17
3	(12) Secretary II	1		GRADE 13
4	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
5	<u>ACADEMIC POSITIONS</u>			
6	(13) Dean	1	\$214,293	\$218,579
7	(14) Department Chairperson	5	\$151,599	\$154,631
8	(15) Associate Dean	1	\$145,026	\$147,927
9	(16) Faculty Pool	6		
10	Professor		\$144,168	\$147,051
11	Associate Professor		\$133,038	\$135,699
12	Assistant Professor		\$125,612	\$128,124
13	<u>ARKANSAS BIOSCIENCES INSTITUTE</u>			
14	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
15	<u>ADMINISTRATIVE POSITIONS</u>			
16	(17) Director of Biosciences Institute	1	\$225,379	\$229,887
17	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
18	<u>CLASSIFIED POSITIONS</u>			
19	(18) Research Technologist I	12		GRADE 18
20	(19) Research Technician II	12		GRADE 13
21	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
22	<u>ACADEMIC POSITIONS</u>			
23	(20) Faculty Pool	24		
24	Research Professor		\$140,799	\$143,615
25	Research Associate Professor		\$133,037	\$135,698
26	Research Assistant Professor		\$125,612	\$128,124
27	Research Instructor		\$86,428	\$88,157
28	(21) Post Doctoral Fellow	6	\$87,080	\$88,822
29	(22) Graduate Assistant	4	\$33,970	\$34,649
30	<u>UAMS AREA HEALTH ED CTR IN HELENA</u>			
31	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
32	<u>ADMINISTRATIVE POSITIONS</u>			
33	(23) Administrative Support Pool	17		
34	Project/Program Director		\$80,367	\$81,974
35	Project/Program Manager		\$72,828	\$74,285
36	Project/Program Specialist		\$62,836	\$64,093

1	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
2	<u>CLASSIFIED POSITIONS</u>			
3	(24) Administrative Assistant II	2	GRADE 17	
4	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
5	<u>ACADEMIC POSITIONS</u>			
6	(25) Assistant Professor	2	\$125,612	\$128,124
7	(26) Clinic Instructor	1	\$100,934	\$102,953
8	(27) RN II - AHEC	2	\$75,742	\$77,257
9	(28) Assistant Instructor	<u>5</u>	\$72,260	\$73,705
10	MAX. NO. OF EMPLOYEES	139		

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12 SECTION 2. APPROPRIATION - DONALD W. REYNOLDS CENTER ON AGING. There is

13 hereby appropriated, to the University of Arkansas for Medical Sciences, to

14 be payable from the Targeted State Needs Program Account of the Tobacco

15 Settlement Program Fund, for personal services and operating expenses of the

16 University of Arkansas for Medical Sciences - Donald W. Reynolds Center on

17 Aging for the biennial period ending June 30, 2009, the following:

19	ITEM	FISCAL YEARS	
20	<u>NO.</u>	2007-2008	2008-2009
21	(01) REGULAR SALARIES	\$ 917,984	\$ 936,343
22	(02) PERSONAL SERV MATCHING	218,972	223,351
23	(03) MAINT. & GEN. OPERATION		
24	(A) OPER. EXPENSE	481,413	481,413
25	(B) CONF. & TRAVEL	42,242	42,242
26	(C) PROF. FEES	0	0
27	(D) CAP. OUTLAY	6,812	6,812
28	(E) DATA PROC.	<u>0</u>	<u>0</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,667,423</u>	<u>\$ 1,690,161</u>

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31 SECTION 3. APPROPRIATION - COLLEGE OF PUBLIC HEALTH. There is hereby

32 appropriated, to the University of Arkansas for Medical Sciences, to be

33 payable from the Targeted State Needs Program Account of the Tobacco

34 Settlement Program Fund, for personal services and operating expenses of the

35 University of Arkansas for Medical Sciences - College of Public Health for

36 the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 1,736,034	\$ 1,770,755
(02) PERSONAL SERV MATCHING	341,615	348,448
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	253,110	253,110
(B) CONF. & TRAVEL	38,048	38,048
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	40,388	40,388
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,409,195</u>	<u>\$ 2,450,749</u>

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SECTION 4. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby appropriated, to the University of Arkansas for Medical Sciences, to be payable from the Arkansas Biosciences Institute Program Account of the Tobacco Settlement Program Fund, for personal services and operating expenses of the University of Arkansas for Medical Sciences - Arkansas Biosciences Institute for the biennial period ending June 30, 2009, the following:

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 980,851	\$ 1,000,468
(02) PERSONAL SERV MATCHING	233,211	237,875
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	842,499	842,499
(B) CONF. & TRAVEL	13,960	13,960
(C) PROF. FEES	27,940	27,940
(D) CAP. OUTLAY	1,034,680	1,034,680
(E) DATA PROC.	0	0
(04) ARKANSAS CHILDRENS HOSPITAL RESEARCH PROGRAM	<u>1,333,336</u>	<u>1,333,336</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,466,477</u>	<u>\$ 4,490,758</u>

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SECTION 5. APPROPRIATION - AREA HEALTH EDUCATION CENTER IN HELENA. There is hereby appropriated, to the University of Arkansas for Medical Sciences,

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1 to be payable from the Targeted State Needs Program Account of the Tobacco
 2 Settlement Program Fund, for personal services and operating expenses of the
 3 University of Arkansas for Medical Sciences - Area Health Education Center in
 4 Helena for the biennial period ending June 30, 2009, the following:

6 ITEM	FISCAL YEARS	
7 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
8 (01) REGULAR SALARIES	\$ 1,131,657	\$ 1,154,291
9 (02) PERSONAL SERV MATCHING	287,167	292,910
10 (03) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE	385,938	385,938
12 (B) CONF. & TRAVEL	18,160	18,160
13 (C) PROF. FEES	0	0
14 (D) CAP. OUTLAY	22,420	22,420
15 (E) DATA PROC.	<u>0</u>	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,845,342</u>	<u>\$ 1,873,719</u>

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 18 *SECTION 6. APPROPRIATION - TARGETED STATE NEEDS CONTINGENCY. There is*
 19 *hereby appropriated, to the University of Arkansas for Medical Sciences, to*
 20 *be payable from the Targeted State Needs Program Account, for personal*
 21 *services and operating expenses which may be transferred and added to any*
 22 *appropriation line item payable from the Targeted State Needs Program Account*
 23 *by the University of Arkansas for Medical Sciences for the biennial period*
 24 *ending June 30, 2009, the following:*

26 ITEM	FISCAL YEARS	
27 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
29 (01) TARGETED STATE NEEDS CONTINGENCY	<u>\$ 2,213,705</u>	<u>\$ 2,213,705</u>

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 31 *SECTION 7. APPROPRIATION - BIOSCIENCES INSTITUTE CONTINGENCY. There is*
 32 *hereby appropriated, to the University of Arkansas for Medical Sciences, to*
 33 *be payable from the Arkansas Biosciences Institute Program Account, for*
 34 *personal services and operating expenses which may be transferred and added*
 35 *to any appropriation line item payable from the Arkansas Biosciences*
 36 *Institute Program Account by the University of Arkansas for Medical Sciences*

1 for the biennial period ending June 30, 2009, the following:

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3 ITEM	FISCAL YEARS	
4 NO.	2007-2008	2008-2009
6 (01) BIOSCIENCES INSTITUTE CONTINGENCY	\$ <u>1,690,199</u>	\$ <u>1,690,199</u>

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8 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 10 FORWARD. Such appropriation as is authorized in this Act which remains at the
 11 end of the first fiscal year of the biennium may be carried forward into the
 12 second fiscal year of the biennium there to be used for the same purposes.

13 Any carry forward of unexpended balance of appropriation and/or funding as
 14 authorized herein, may be carried forward under the following conditions:

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16 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
 17 its reason(s) for the need to carry forward said appropriation and/or funding
 18 to the Department of Finance and Administration Office of Budget;

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20 (2) The Department of Finance and Administration Office of Budget shall
 21 report to the Arkansas Legislative Council all amounts carried forward from
 22 the first fiscal year of the biennium to the second fiscal year of the
 23 biennium by the September Arkansas Legislative Council or Joint Budget
 24 Committee meeting in the second fiscal year of the biennial period which
 25 report shall include the name of the Agency, Board, Commission or Institution
 26 and the amount of the appropriation and/or funding carried forward from the
 27 first fiscal year to the second fiscal year, the program name or line item,
 28 the funding source of that appropriation and a copy of the written request
 29 set forth in (1) above;

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31 (3) Each Agency, Board, Commission or Institution shall provide a written
 32 report to the Arkansas Legislative Council or Joint Budget Committee
 33 containing all information set forth in item (2) above, along with a written
 34 statement as to the current status of the project, contract, purpose etc. for
 35 which the carry forward was originally requested no later than thirty (30)
 36 days prior to the time the Agency, Board, Commission or Institution presents

1 its budget request to the Arkansas Legislative Council/Joint Budget
2 Committee; and

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4 (4) Thereupon, the Department of Finance and Administration shall include
5 all information obtained in item (3) above in the biennial budget manuals
6 and/or a statement of non-compliance by the Agency, Board, Commission or
7 Institution.

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9 The provisions of this section shall be in effect only from July 1, 2005
10 2007 through June 30, ~~2007~~ 2009.

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12 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
14 CHILDREN'S HOSPITAL RESEARCH PROGRAM. In any fiscal year, if the funds
15 received by the University of Arkansas for Medical Sciences for the Arkansas
16 Biosciences Institute under Section ~~6~~ 4 of this Act are less than the total
17 amount appropriated, the University of Arkansas for Medical Sciences shall
18 provide no less than thirty-three and one-third percent (33 and 1/3%) of the
19 available funds for the Arkansas Children's Hospital Research Program.
20 Otherwise, the Arkansas Children's Hospital Research Program line item
21 appropriation under Section ~~6~~ 4 of this Act shall be funded in total or
22 Arkansas Children's Hospital Chief Executive Officer may request that the
23 University of Arkansas for Medical Sciences transfer such funds each fiscal
24 year from the ~~University of Arkansas Medical Center Fund~~ Arkansas Biosciences
25 Institute Program Account to the Department of Human Services Grants Fund
26 Account. The transferred funds shall be used to match federal funds used for
27 Supplemental Medicaid payments to Arkansas Children's Hospital.

28 The provisions of this section shall be in effect only from July 1, 2005
29 2007 through June 30, ~~2007~~ 2009.

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31 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
33 RESTRICTIONS. The appropriations provided in this act shall not be
34 transferred under the provisions of Arkansas Code 19-4-522 or the provisions
35 of Arkansas Code 6-62-104, but only as provided by this act.

36 The provisions of this section shall be in effect only from July 1, 2005

1 2007 through June 30, ~~2007~~ 2009.

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3 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
5 PROVISIONS. The state-supported institution of higher education in this act
6 may transfer appropriations between the various line items within each
7 appropriation contained in this appropriation act. Such transfers shall be
8 made only after the approval of the Department of Higher Education and the
9 Chief Fiscal Officer of the State, and the approval of the Legislative
10 Council.

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

23 The provisions of this section shall be in effect only from July 1, ~~2005~~
24 2007 through June 30, ~~2007~~ 2009.

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26 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
28 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
29 State of Arkansas or any of its agencies or institutions to continue funding
30 any position paid from the proceeds of the Tobacco Settlement in the event
31 that Tobacco Settlement funds are not sufficient to finance the position.
32 (b) State funds will not be used to replace Tobacco Settlement funds when
33 such funds expire, unless appropriated by the General Assembly and authorized
34 by the Governor.
35 (c) A disclosure of the language contained in (a) and (b) of this Section
36 shall be made available to all new hire and current positions paid from the

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

5 The provisions of this section shall be in effect only from July 1, 2005
6 2007 through June 30, ~~2007~~ 2009.

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8 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
10 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act
11 shall be limited to the appropriation for such agency and funds made
12 available by law for the support of such appropriations; and the restrictions
13 of the State Purchasing Law, the General Accounting and Budgetary Procedures
14 Law, the Regular Salary Procedures and Restrictions Act, or their successors,
15 and other fiscal control laws of this State, where applicable, and
16 regulations promulgated by the Department of Finance and Administration, as
17 authorized by law, shall be strictly complied with in disbursement of said
18 funds.

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20 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
22 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds
23 disbursed under the authority of the appropriations contained in this act
24 shall be in compliance with the stated reasons for which this act was
25 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
26 Executive Recommendations and Legislative Recommendations contained in the
27 budget manuals prepared by the Department of Finance and Administration,
28 letters, or summarized oral testimony in the official minutes of the Arkansas
29 Legislative Council or Joint Budget Committee which relate to its passage and
30 adoption.

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32 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
33 Assembly, that the Constitution of the State of Arkansas prohibits the
34 appropriation of funds for more than a two (2) year period; that the
35 effectiveness of this Act on July 1, 2007 is essential to the operation of
36 the agency for which the appropriations in this Act are provided, and that in

1 the event of an extension of the Regular Session, the delay in the effective
2 date of this Act beyond July 1, 2007 could work irreparable harm upon the
3 proper administration and provision of essential governmental programs.
4 Therefore, an emergency is hereby declared to exist and this Act being
5 necessary for the immediate preservation of the public peace, health and
6 safety shall be in full force and effect from and after July 1, 2007.

7
8 */s/ Joint Budget Committee*
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