

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

# A Bill

HOUSE BILL 1551

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 ARKANSAS  
11 STATE UNIVERSITY - ARKANSAS BIOSCIENCES INSTITUTE  
12 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND  
13 FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE ARKANSAS STATE  
17 UNIVERSITY - ARKANSAS BIOSCIENCES  
18 INSTITUTE APPROPRIATION FOR THE  
19 2007-2009 BIENNIUM.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. REGULAR SALARIES - ARKANSAS BIOSCIENCES INSTITUTE. There is  
26 hereby established for the Arkansas State University - Arkansas Biosciences  
27 Institute for the 2007-2009 biennium, the following maximum number of regular  
28 employees whose salaries shall be governed by the provisions of the Uniform  
29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
30 its successor, and all laws amendatory thereto. Provided, however, that any  
31 position to which a specific maximum annual salary is set out herein in  
32 dollars, shall be exempt from the provisions of said Uniform Classification  
33 and Compensation Act. All persons occupying positions authorized herein are  
34 hereby governed by the provisions of the Regular Salaries Procedures and  
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.  
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Item		Maximum	Maximum Annual	
No.	Title	No. of	Salary Rate	
		Employees	2007-2008	2008-2009
<u>ARKANSAS BIOSCIENCES INSTITUTE</u>				
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ADMINISTRATIVE POSITIONS</u>				
(1)	Exec Director of Biosciences Institu	1	\$153,323	\$156,389
(2)	Director, Research & Tech Transfer	1	\$143,738	\$146,613
(3)	Project/Program Administrator	3		
	Project/Program Director		\$80,670	\$82,283
	Project/Program Manager		\$73,105	\$74,567
	Project/Program Specialist		\$63,073	\$64,334
(4)	Research Assistant	3	\$52,133	\$53,176
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>CLASSIFIED POSITIONS</u>				
(5)	Accounting Supervisor I	1	GRADE 20	
(6)	Plant Maintenance Coordinator	1	GRADE 20	
(7)	Accountant	2	GRADE 18	
(8)	Administrative Assistant II	1	GRADE 17	
(9)	Skilled Trades Worker	2	GRADE 17	
(10)	Accounting Tech II	1	GRADE 15	
(11)	Laboratory Coordinator	1	GRADE 15	
(12)	Administrative Secretary	3	GRADE 14	
(13)	Greenhouse Technician	1	GRADE 14	
(14)	Custodial Worker II	2	GRADE 04	
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>				
<u>ACADEMIC POSITIONS</u>				
(15)	Research Assistant Professor	3	\$133,037	\$135,698
(16)	Research Associate	<u>2</u>	\$87,080	\$88,822
	MAX. NO. OF EMPLOYEES	28		

SECTION 2. EXTRA HELP - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby authorized, for the Arkansas State University - Arkansas Biosciences Institute for the 2007-2009 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds

1 appropriated herein for such purposes: twenty (20) temporary or part-time  
 2 employees, when needed, at rates of pay not to exceed those provided in the  
 3 Uniform Classification and Compensation Act, or its successor, or this act  
 4 for the appropriate classification.

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 6 SECTION 3. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby  
 7 appropriated, to the Arkansas State University, to be payable from the  
 8 Arkansas Biosciences Institute Program Account, for personal services and  
 9 operating expenses of the Arkansas State University - Arkansas Biosciences  
 10 Institute for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
(01) REGULAR SALARIES	\$ 1,717,801	\$ 1,752,157
(02) EXTRA HELP	1,000	1,000
(03) PERSONAL SERV MATCHING	394,419	402,307
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	695,693	695,693
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	89,368	89,368
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,898,281</u>	<u>\$ 2,940,525</u>

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

30 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 31 2007 through June 30, ~~2007~~ 2009.

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 33 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 35 RESTRICTIONS. The appropriations provided in this act shall not be  
 36 transferred under the provisions of Arkansas Code 19-4-522 or the provisions

1 of Arkansas Code 6-62-104, but only as provided by this act.

2 The provisions of this section shall be in effect only from July 1, 2005  
3 2007 through June 30, ~~2007~~ 2009.

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

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

25 The provisions of this section shall be in effect only from July 1, 2005  
26 2007 through June 30, ~~2007~~ 2009.

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28 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
30 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the  
31 State of Arkansas or any of its agencies or institutions to continue funding  
32 any position paid from the proceeds of the Tobacco Settlement in the event  
33 that Tobacco Settlement funds are not sufficient to finance the position.  
34 (b) State funds will not be used to replace Tobacco Settlement funds when  
35 such funds expire, unless appropriated by the General Assembly and authorized  
36 by the Governor.

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

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

7 The provisions of this section shall be in effect only from July 1, 2005  
8 2007 through June 30, ~~2007~~ 2009.

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10 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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22 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

24 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds  
25 disbursed under the authority of the appropriations contained in this act  
26 shall be in compliance with the stated reasons for which this act was  
27 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,  
28 Executive Recommendations and Legislative Recommendations contained in the  
29 budget manuals prepared by the Department of Finance and Administration,  
30 letters, or summarized oral testimony in the official minutes of the Arkansas  
31 Legislative Council or Joint Budget Committee which relate to its passage and  
32 adoption.

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34 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General  
35 Assembly, that the Constitution of the State of Arkansas prohibits the  
36 appropriation of funds for more than a two (2) year period; that the

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

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