

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: H3/9/07
A Bill

HOUSE BILL 1551

5 By: Joint Budget Committee
6
7

8 **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

15 **Subtitle**

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	No. of Employees	Maximum Salary Rate	Maximum Annual Salary Rate
No. Title		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:

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ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(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 Any carry forward of unexpended balance of appropriation and/or funding as
 31 authorized herein, may be carried forward under the following conditions:

32
 33 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
 34 its reason(s) for the need to carry forward said appropriation and/or funding
 35 to the Department of Finance and Administration Office of Budget;

36

1 (2) The Department of Finance and Administration Office of Budget shall
2 report to the Arkansas Legislative Council all amounts carried forward from
3 the first fiscal year of the biennium to the second fiscal year of the
4 biennium by the September Arkansas Legislative Council or Joint Budget
5 Committee meeting in the second fiscal year of the biennial period which
6 report shall include the name of the Agency, Board, Commission or Institution
7 and the amount of the appropriation and/or funding carried forward from the
8 first fiscal year to the second fiscal year, the program name or line item,
9 the funding source of that appropriation and a copy of the written request
10 set forth in (1) above;

11
12 (3) Each Agency, Board, Commission or Institution shall provide a written
13 report to the Arkansas Legislative Council or Joint Budget Committee
14 containing all information set forth in item (2) above, along with a written
15 statement as to the current status of the project, contract, purpose etc. for
16 which the carry forward was originally requested no later than thirty (30)
17 days prior to the time the Agency, Board, Commission or Institution presents
18 its budget request to the Arkansas Legislative Council/Joint Budget
19 Committee; and

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

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 5. 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, ~~2005~~
34 2007 through June 30, ~~2007~~ 2009.

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36 SECTION 6. 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, 2005
21 2007 through June 30, ~~2007~~ 2009.

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23 SECTION 7. 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, 2005
3 2007 through June 30, ~~2007~~ 2009.

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

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17 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds
20 disbursed under the authority of the appropriations contained in this act
21 shall be in compliance with the stated reasons for which this act was
22 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
23 Executive Recommendations and Legislative Recommendations contained in the
24 budget manuals prepared by the Department of Finance and Administration,
25 letters, or summarized oral testimony in the official minutes of the Arkansas
26 Legislative Council or Joint Budget Committee which relate to its passage and
27 adoption.

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29 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
30 Assembly, that the Constitution of the State of Arkansas prohibits the
31 appropriation of funds for more than a two (2) year period; that the
32 effectiveness of this Act on July 1, 2007 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the Regular Session, the delay in the effective
35 date of this Act beyond July 1, 2007 could work irreparable harm upon the
36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 2007.

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5 */s/ Joint Budget Committee*
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