

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/6/09
A Bill

HOUSE BILL 1521

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 FISCAL YEAR ENDING JUNE 30, 2010; 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 THE AREA HEALTH EDUCATION
24 CENTER IN HELENA APPROPRIATION.
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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30 SECTION 1. REGULAR SALARIES - REYNOLDS CENTER ON AGING, COLLEGE OF PUBLIC
31 HEALTH, BIOSCIENCES INSTITUTE AND AREA HEALTH EDUCATION CENTER - HELENA.

32 There is hereby established for the University of Arkansas for Medical
33 Sciences - Reynolds Center on Aging, College of Public Health, Biosciences
34 Institute and Area Health Education Center - Helena for the 2009-2010 fiscal
35 year, the following maximum number of regular employees whose salaries shall
36 be governed by the provisions of the Uniform Classification and Compensation



1 Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws
 2 amendatory thereto. Provided, however, that any position to which a specific
 3 maximum annual salary is set out herein in dollars, shall be exempt from the
 4 provisions of said Uniform Classification and Compensation Act. All persons
 5 occupying positions authorized herein are hereby governed by the provisions
 6 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
 7 101), or its successor.

Item	No. of Employees	Maximum Annual Salary Rate Fiscal Year 2009-2010
<u>UAMS DONALD W. REYNOLDS CENTER ON AGING</u>		
<u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u>		
(01) Project/Program Manager	1	\$76,514
(02) Project/Program Specialist	4	\$66,016
<u>TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS</u>		
(03) Administrative Specialist III	1	GRADE C112
<u>TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS</u>		
(04) Faculty Pool	19	
Professor		\$151,463
Associate Professor		\$139,770
Assistant Professor		\$131,968
Instructor		\$106,041
(05) Education Coordinator	1	\$109,000
(06) Research Assistant	1	\$71,707
<u>UAMS ARKANSAS COLLEGE OF PUBLIC HEALTH</u>		
<u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u>		
(07) Project/Program Director	1	\$84,433
(08) Project/Program Specialist	1	\$66,016
<u>TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS</u>		

1	(09) Research Technologist	1	GRADE C119
2	(10) Administrative Specialist III	3	GRADE C112
3	(11) Administrative Specialist II	1	GRADE C109
4	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
5	<u>ACADEMIC POSITIONS</u>		
6	(12) Dean	1	\$225,136
7	(13) Department Chairperson	5	\$159,270
8	(14) Associate Dean	1	\$152,365
9	(15) Faculty Pool	6	
10	Professor		\$151,463
11	Associate Professor		\$139,770
12	Assistant Professor		\$131,968
13	<u>ARKANSAS BIOSCIENCES INSTITUTE</u>		
14	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
15	<u>ADMINISTRATIVE POSITIONS</u>		
16	(16) Director of Biosciences Institute	1	\$236,784
17	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
18	<u>CLASSIFIED POSITIONS</u>		
19	(17) Research Technologist	6	GRADE C119
20	(18) Research Technician	4	GRADE C109
21	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
22	<u>ACADEMIC POSITIONS</u>		
23	(19) Faculty Pool	24	
24	Research Professor		\$147,923
25	Research Associate Professor		\$139,769
26	Research Assistant Professor		\$131,968
27	Research Instructor		\$90,802
28	(20) Post Doctoral Fellow	6	\$91,487
29	(21) Graduate Assistant	4	\$35,688
30	<u>UAMS AREA HEALTH EDUCATION CENTER IN</u>		
31	<u>HELENA TWELVE MONTH EDUCATIONAL AND</u>		
32	<u>GENERAL ADMINISTRATIVE POSITIONS</u>		
33	(22) Administrative Support Pool	17	
34	Project/Program Director		\$84,433
35	Project/Program Manager		\$76,514
36	Project/Program Specialist		\$66,016

1	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
2	<u>CLASSIFIED POSITIONS</u>		
3	(23) Administrative Specialist III	2	GRADE C112
4	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
5	<u>ACADEMIC POSITIONS</u>		
6	(24) Assistant Professor	1	\$131,968
7	(25) Clinic Instructor	<u>1</u>	\$106,042
8	MAX. NO. OF EMPLOYEES	113	

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

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

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

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

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

15 Aging for the fiscal year ending June 30, 2010, the following:

17	ITEM		FISCAL YEAR
18	<u>NO.</u>		<u>2009-2010</u>
19	(01) REGULAR SALARIES	\$	1,132,959
20	(02) PERSONAL SERV MATCHING		276,765
21	(03) MAINT. & GEN. OPERATION		
22	(A) OPER. EXPENSE		603,713
23	(B) CONF. & TRAVEL		52,128
24	(C) PROF. FEES		0
25	(D) CAP. OUTLAY		55,231
26	(E) DATA PROC.		<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	\$	<u>2,120,796</u>

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

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

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

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

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

34 the fiscal year ending June 30, 2010, the following:

36	ITEM		FISCAL YEAR
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1	<u>NO.</u>	<u>2009-2010</u>
2	(01) REGULAR SALARIES	\$ 2,097,197
3	(02) PERSONAL SERV MATCHING	567,112
4	(03) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	278,308
6	(B) CONF. & TRAVEL	38,048
7	(C) PROF. FEES	0
8	(D) CAP. OUTLAY	40,388
9	(E) DATA PROC.	<u>0</u>
10	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,021,053</u>

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12 SECTION 4. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby
 13 appropriated, to the University of Arkansas for Medical Sciences, to be
 14 payable from the Arkansas Biosciences Institute Program Account of the
 15 Tobacco Settlement Program Fund, for personal services and operating expenses
 16 of the University of Arkansas for Medical Sciences - Arkansas Biosciences
 17 Institute for the fiscal year ending June 30, 2010, the following:

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19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2009-2010</u>
21	(01) REGULAR SALARIES	\$ 1,407,267
22	(02) PERSONAL SERV MATCHING	337,875
23	(03) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	1,042,499
25	(B) CONF. & TRAVEL	23,960
26	(C) PROF. FEES	37,940
27	(D) CAP. OUTLAY	1,434,680
28	(E) DATA PROC.	0
29	(04) ARKANSAS CHILDRENS HOSPITAL	
30	RESEARCH PROGRAM	<u>1,896,736</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 6,180,957</u>

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33 SECTION 5. APPROPRIATION - AREA HEALTH EDUCATION CENTER IN HELENA. There
 34 is hereby appropriated, to the University of Arkansas for Medical Sciences,
 35 to be payable from the Targeted State Needs Program Account of the Tobacco
 36 Settlement Program Fund, for personal services and operating expenses of the

1 University of Arkansas for Medical Sciences - Area Health Education Center in
2 Helena for the fiscal year ending June 30, 2010, the following:

3	4 ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2009-2010</u>
6	(01) REGULAR SALARIES	\$ 1,132,959
7	(02) PERSONAL SERV MATCHING	276,765
8	(03) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	603,713
10	(B) CONF. & TRAVEL	52,128
11	(C) PROF. FEES	0
12	(D) CAP. OUTLAY	55,231
13	(E) DATA PROC.	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,120,796</u>

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16 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
18 FORWARD. ~~Such appropriation as is authorized in this Act which remains at the~~
19 ~~end of the first fiscal year of the biennium may be carried forward into the~~
20 ~~second fiscal year of the biennium there to be used for the same purposes.~~

21 Any authorized carry forward of unexpended balance of ~~appropriation and/or~~
22 ~~funding as authorized herein~~, may be carried forward under the following
23 conditions:

24 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set
25 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~
26 funding to the Department of Finance and Administration Office of Budget;

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

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

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

13 ~~The provisions of this section shall be in effect only from July 1,~~
14 ~~2007 through June 30, 2009.~~

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16 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
18 CHILDREN'S HOSPITAL RESEARCH PROGRAM. In any fiscal year, if the funds
19 received by the University of Arkansas for Medical Sciences for the Arkansas
20 Biosciences Institute under Section 4 of this Act are less than the total
21 amount appropriated, the University of Arkansas for Medical Sciences shall
22 provide no less than thirty-three and one-third percent (33 and 1/3%) of the
23 available funds for the Arkansas Children's Hospital Research Program.
24 Otherwise, the Arkansas Children's Hospital Research Program line item
25 appropriation under Section 4 of this Act shall be funded in total or
26 Arkansas Children's Hospital Chief Executive Officer may request that the
27 University of Arkansas for Medical Sciences transfer such funds each fiscal
28 year from the Arkansas Biosciences Institute Program Account to the
29 Department of Human Services Grants Fund Account. The transferred funds shall
30 be used to match federal funds used for Supplemental Medicaid payments to
31 Arkansas Children's Hospital.

32 The provisions of this section shall be in effect only from July 1,
33 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

34
35 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

1 RESTRICTIONS. The appropriations provided in this act shall not be
2 transferred under the provisions of Arkansas Code 19-4-522 ~~or the provisions~~
3 ~~of Arkansas Code 6-62-104~~, but only as provided by this act.

4 The provisions of this section shall be in effect only from July 1,
5 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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

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

27 The provisions of this section shall be in effect only from July 1,
28 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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30 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
32 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
33 State of Arkansas or any of its agencies or institutions to continue funding
34 any position paid from the proceeds of the Tobacco Settlement in the event
35 that Tobacco Settlement funds are not sufficient to finance the position.
36 (b) State funds will not be used to replace Tobacco Settlement funds when

1 such funds expire, unless appropriated by the General Assembly and authorized
2 by the Governor.

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

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

9 The provisions of this section shall be in effect only from July 1,
10 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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

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

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24 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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36 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the
2 appropriation of funds for more than a one (1) year period; that the
3 effectiveness of this Act on July 1, 2009 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the Regular Session, the delay in the effective
6 date of this Act beyond July 1, 2009 could work irreparable harm upon the
7 proper administration and provision of essential governmental programs.
8 Therefore, an emergency is hereby declared to exist and this Act being
9 necessary for the immediate preservation of the public peace, health and
10 safety shall be in full force and effect from and after July 1, 2009.

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/s/ Joint Budget Committee