

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

A Bill

SENATE BILL 204

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 SCIENCE AND TECHNOLOGY AUTHORITY FOR THE FISCAL
12 YEAR ENDING JUNE 30, 2010; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS SCIENCE AND
17 TECHNOLOGY AUTHORITY APPROPRIATION FOR
18 THE 2009-2010 FISCAL YEAR.
19
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
25 Science and Technology Authority for the 2009-2010 fiscal year, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
35
36

Maximum Annual



1			Maximum	Salary Rate	
2	Item	Class	No. of	Fiscal Year	
3	No.	Code	Title	Employees	2009-2010
4	(1)	U063U	ASTA DIRECTOR	1	\$97,862
5	(2)	N094N	ASTA EPSCOR DIRECTOR	1	GRADE N906
6	(3)	B012N	ASTA ASSISTANT DIRECTOR OF ENGINEER	1	GRADE N903
7	(4)	G026N	ASTA ASSISTANT DIRECTOR MGMT SVS	1	GRADE N901
8	(5)	A002N	ASTA ASSISTANT DIRECTOR OF FINANCE	1	GRADE N901
9	(6)	B015N	ASTA ASSISTANT DIRECTOR OF RESEARCH	1	GRADE N901
10	(7)	B016C	ASTA ASSISTANT DIRECTOR EPSCOR	1	GRADE C126
11	(8)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
12	(9)	G137C	ASTA RESEARCH PROGRAM COORDINATOR	1	GRADE C120
13	(10)	G126C	FINANCE PROGRAM COORDINATOR	1	GRADE C120
14	(11)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
15	(12)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
16	(13)	D062C	DATABASE ANALYST	1	GRADE C119
17	(14)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
18	(15)	G193C	WCC PROGRAM SPECIALIST	1	GRADE C116
19	(16)	C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
20	(17)	A098C	FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE C112
21			MAX. NO. OF EMPLOYEES	17	

22

23 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
 24 Science and Technology Authority for the 2009-2010 fiscal year, the following
 25 maximum number of part-time or temporary employees, to be known as "Extra
 26 Help", payable from funds appropriated herein for such purposes: two (2)
 27 temporary or part-time employees, when needed, at rates of pay not to exceed
 28 those provided in the Uniform Classification and Compensation Act, or its
 29 successor, or this act for the appropriate classification.

30

31 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 32 to the Arkansas Science and Technology Authority, to be payable from the
 33 Miscellaneous Agencies Fund Account, for personal services and operating
 34 expenses of the Arkansas Science and Technology Authority - State Operations
 35 for the fiscal year ending June 30, 2010, the following:

36

1	<u>NO.</u>	<u>2009-2010</u>
2	(01) REGULAR SALARIES	\$ 619,907
3	(02) EXTRA HELP	12,000
4	(03) PERSONAL SERVICES MATCHING	178,174
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	166,703
7	(B) CONF. & TRAVEL	27,223
8	(C) PROF. FEES	16,800
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	0
11	(05) ARKANSAS RESEARCH MATCH	292,653
12	(06) TECHNOLOGY DEVELOPMENT	156,975
13	(07) SEED CAPITAL INVESTMENTS	<u>292,653</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,763,088</u>

15

16 SECTION 4. APPROPRIATION - SEED CAPITAL INVESTMENT - CASH. There is hereby
 17 appropriated, to the Arkansas Science and Technology Authority, to be payable
 18 from the cash fund deposited in the State Treasury as determined by the Chief
 19 Fiscal Officer of the State, for investments in technology based businesses
 20 by the Arkansas Science and Technology Authority - Seed Capital Investment -
 21 Cash for the fiscal year ending June 30, 2010, the following:

22

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2009-2010</u>
25	(01) INVESTMENTS	<u>\$ 1,900,000</u>

26

27 SECTION 5. APPROPRIATION - ARKANSAS MANUFACTURING EXTENSION NETWORK -
 28 FEDERAL. There is hereby appropriated, to the Arkansas Science and Technology
 29 Authority, to be payable from the Federal Funds as designated by the Chief
 30 Fiscal Officer of the State, for personal services and operating expenses of
 31 the Arkansas Science and Technology Authority - Arkansas Manufacturing
 32 Extension Network - Federal for the fiscal year ending June 30, 2010, the
 33 following:

34

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2009-2010</u>

1	(01) REGULAR SALARIES	\$	146,194
2	(02) PERSONAL SERVICES MATCHING		42,668
3	(03) MAINT. & GEN. OPERATION		
4	(A) OPER. EXPENSE		174,976
5	(B) CONF. & TRAVEL		31,066
6	(C) PROF. FEES		55,000
7	(D) CAP. OUTLAY		0
8	(E) DATA PROC.		0
9	(04) AR MANUFACTURING NETWORK/TECHNOLOGY		
10	TRANSFER ASSIST/OTHER GRANTS & AID		415,000
11	(05) FIELD SERVICES		<u>1,122,849</u>
12	TOTAL AMOUNT APPROPRIATED	\$	<u>1,987,753</u>

13
 14 SECTION 6. APPROPRIATION - ARKANSAS MANUFACTURING EXTENSION NETWORK -
 15 STATE. There is hereby appropriated, to the Arkansas Science and Technology
 16 Authority, to be payable from the Miscellaneous Agencies Fund Account, for
 17 grants by the Arkansas Science and Technology Authority - Arkansas
 18 Manufacturing Extension Network - State for the fiscal year ending June 30,
 19 2010, the following:

21	ITEM		FISCAL YEAR
22	<u>NO.</u>		<u>2009-2010</u>
23	(01) AR MANUFACTURING EXT NETWORK	\$	<u>257,182</u>

24
 25 SECTION 7. APPROPRIATION - WINTHROP ROCKEFELLER FOUNDATION GRANT. There is
 26 hereby appropriated, to the Arkansas Science and Technology Authority, to be
 27 payable from the cash fund deposited in the State Treasury as determined by
 28 the Chief Fiscal Officer of the State, for operating expenses and science
 29 grants by the Arkansas Science and Technology Authority - Winthrop
 30 Rockefeller Foundation Grant for the fiscal year ending June 30, 2010, the
 31 following:

33	ITEM		FISCAL YEAR
34	<u>NO.</u>		<u>2009-2010</u>
35	(01) MAINT. & GEN. OPERATION		
36	(A) OPER. EXPENSE	\$	16,063

1	(B) CONF. & TRAVEL	0
2	(C) PROF. FEES	54,625
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	0
5	(02) SCIENCE GRANTS	<u>490,512</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 561,200</u>

7
 8 SECTION 8. APPROPRIATION - ARKANSAS EPSCOR - FEDERAL. There is hereby
 9 appropriated, to the Arkansas Science and Technology Authority, to be payable
 10 from the Federal Funds as designated by the Chief Fiscal Officer of the
 11 State, for personal services and operating expenses of the Arkansas Science
 12 and Technology Authority - Arkansas EPSCOR - Federal for the fiscal year
 13 ending June 30, 2010, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2009-2010</u>
17	(01) REGULAR SALARIES	\$ 153,981
18	(02) PERSONAL SERVICES MATCHING	39,025
19	(03) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	71,183
21	(B) CONF. & TRAVEL	3,333
22	(C) PROF. FEES	40,667
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	0
25	(04) AR EPSCOR/TECHNOLOGY DEVELOPMENT/ OTHER GRANTS	<u>2,753,375</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,061,564</u>

27
 28
 29 SECTION 9. APPROPRIATION - INDUSTRIAL ENERGY EFFICIENCY PROGRAM. There is
 30 hereby appropriated, to the Arkansas Science and Technology Authority, to be
 31 payable from the cash fund deposited in the State Treasury as determined by
 32 the Chief Fiscal Officer of the State, for operating expenses of the Arkansas
 33 Science and Technology Authority - Industrial Energy Efficiency Program 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) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$ 66,900
4	(B) CONF. & TRAVEL	0
5	(C) PROF. FEES	0
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	0
8	(02) GRANTS AND AID – INDUSTRIAL	
9	ENERGY EFFICIENCY PROGRAM	<u>23,100</u>
10	TOTAL AMOUNT APPROPRIATED	<u>\$ 90,000</u>

11

12 SECTION 10. APPROPRIATION - STATE INDUSTRIAL ASSESSMENT - FEDERAL. There
 13 is hereby appropriated, to the Arkansas Science and Technology Authority, to
 14 be payable from the Federal Funds as designated by the Chief Fiscal Officer
 15 of the State, for extensive energy assessments for Arkansas Industrial Plants
 16 by the Arkansas Science and Technology Authority - State Industrial
 17 Assessment - Federal 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) GRANTS AND AID – ENERGY ASSESSMENTS	<u>\$ 25,000</u>

22

23 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SEED
 25 CAPITAL INVESTMENTS. Notwithstanding any other law to the contrary
 26 regarding general revenue year end fund balances, any monies received from
 27 the repayment of Seed Capital Investments authorized by the Arkansas Science
 28 and Technology Authority, shall be deposited into the State Treasury to the
 29 credit of the Miscellaneous Agencies Fund Account and shall remain in the
 30 Miscellaneous Agencies Fund Account to be made available solely for the
 31 benefit of the Arkansas Science and Technology Authority to provide
 32 additional Seed Capital Investments.

33 The provisions of this section shall be in effect only from July 1,
 34 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

35

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

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 2 FORWARD – TECHNOLOGY DEVELOPMENT. The Arkansas Science and Technology
 3 Authority is authorized to carry forward an amount of up to \$150,000 of any
 4 obligated but unexpended funds ~~and appropriation~~ in the Technology
 5 Development line item in Section 3 for basic or applied research grants which
 6 remains at the end of the ~~first year of the biennium~~ fiscal year 2010 to be
 7 used for the same purpose ~~in the second year of the biennium~~.

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

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

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

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

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

35
 36 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

1 by this act shall be limited to the appropriation for such agency and funds
 2 made available by law for the support of such appropriations; and the
 3 restrictions of the State Procurement Law, the General Accounting and
 4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 5 Procedures and Restrictions Act, or their successors, and other fiscal
 6 control laws of this State, where applicable, and regulations promulgated by
 7 the Department of Finance and Administration, as authorized by law, shall be
 8 strictly complied with in disbursement of said funds.

9
 10 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General Assembly
 11 that any funds disbursed under the authority of the appropriations contained
 12 in this act shall be in compliance with the stated reasons for which this act
 13 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 14 and Legislative Recommendations contained in the budget manuals prepared by
 15 the Department of Finance and Administration, letters, or summarized oral
 16 testimony in the official minutes of the Arkansas Legislative Council or
 17 Joint Budget Committee which relate to its passage and adoption.

18
 19 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
 20 Assembly, that the Constitution of the State of Arkansas prohibits the
 21 appropriation of funds for more than a one (1) year period; that the
 22 effectiveness of this Act on July 1, 2009 is essential to the operation of
 23 the agency for which the appropriations in this Act are provided, and that in
 24 the event of an extension of the Regular Session, the delay in the effective
 25 date of this Act beyond July 1, 2009 could work irreparable harm upon the
 26 proper administration and provision of essential governmental programs.
 27 Therefore, an emergency is hereby declared to exist and this Act being
 28 necessary for the immediate preservation of the public peace, health and
 29 safety shall be in full force and effect from and after July 1, 2009.