

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 418

4
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 FOR THE FISCAL YEAR ENDING JUNE
12 30, 2010; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE ARKANSAS STATE
16 UNIVERSITY APPROPRIATION FOR THE
17 2009-2010 FISCAL YEAR.
18
19
20

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

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

35 Maximum Annual
36 Maximum Salary Rate



1	Item	No. of	Fiscal Year
2	<u>No. Title</u>	<u>Employees</u>	<u>2009-2010</u>
3	<u>ARKANSAS STATE UNIVERSITY-SYSTEM</u>		
4	<u>TWELVE MONTH EDUCATION AND GENERAL</u>		
5	<u>ADMINISTRATIVE POSITIONS</u>		
6	(001) President Arkansas State University	1	\$182,839
7	(002) Vice Pres. For System Operations	1	\$169,913
8	(003) Vice Pres. For Academic Affairs	1	\$157,557
9	(004) General Counsel	1	\$149,879
10	(005) Vice Pres. For University Relations	1	\$145,423
11	(006) Vice Pres. For University Advanc.	1	\$145,423
12	(007) Assoc. Vice Pres.	2	\$129,121
13	(008) Director of Planning & Resource Serv	1	\$122,671
14	(009) Exec. Asst. to President	1	\$101,754
15	(010) Assistant Vice Pres. For Admin.	1	\$98,605
16	(011) Dir of Corp & Foundation Relations	1	\$96,283
17	(012) Dir. for Internal Audit	1	\$82,187
18	(013) Sr. Internal Auditor	1	\$68,248
19	(014) Project/Program Specialist	1	\$66,016
20	(015) Associate for Administration	1	\$61,146
21	(016) Research Assistant	2	\$54,560
22	(017) Legislative Intern/Research Assist.	1	\$54,560
23	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
24	<u>CLASSIFIED POSITIONS</u>		
25	(018) Fiscal Support Analyst	1	GRADE C116
26	(019) Administrative Specialist III	1	GRADE C112
27	(020) Administrative Specialist II	2	GRADE C109
28	<u>ARKANSAS STATE UNIV-JONESBORO</u>		
29	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
30	<u>ADMINISTRATIVE POSITIONS</u>		
31	(021) Chancellor ASU-Jonesboro	1	\$169,912
32	(022) Executive Vice Chancellor and Provo.	1	\$167,000
33	(023) Sr. Assoc. Vice Chanc. for AA/Resch.	1	\$144,363
34	(024) Vice Chancellor for Finance & Admin	1	\$140,107
35	(025) Vice Chancellor for Univ Advancement	1	\$137,979
36	(026) Vice Chancellor for Student Affairs	1	\$137,979

1	(027)	Dean of Graduate School	1	\$133,723
2	(028)	Dean of Schools	12	\$133,723
3	(029)	Assoc. Dean of Schools	6	\$126,769
4	(030)	Assoc Vice Chanc. Academic Affairs	2	\$125,983
5	(031)	Associate Vice Chancellor	4	\$121,260
6	(032)	Executive Asst. to the Chancellor	1	\$121,260
7	(033)	Dir. of Delta Heritage Initiatives	1	\$119,174
8	(034)	Dean of Libraries	1	\$119,174
9	(035)	Asst Vice Chancellor for Info/Tech	1	\$117,439
10	(036)	Coord. of Organized Research	1	\$115,502
11	(037)	Director of Prof. Educ. Programs	1	\$115,502
12	(038)	Controller	1	\$108,171
13	(039)	Director of International Programs	1	\$107,891
14	(040)	Director of Development	1	\$106,053
15	(041)	Asst. Vice Chancellor for Facilities	1	\$101,818
16	(042)	Asst. Vice Chancellor for Business	1	\$98,605
17	(043)	Asst. Vice Chanc for Student Affairs	1	\$98,605
18	(044)	Registrar	1	\$97,316
19	(045)	Director of Planned Giving	1	\$96,283
20	(046)	Director of Counseling	1	\$96,283
21	(047)	Director of Museum & Ed. Ctr.	1	\$91,222
22	(048)	Archivist	1	\$91,222
23	(049)	Director of Museum	1	\$91,222
24	(050)	Dean of Student Affairs	1	\$91,222
25	(051)	Dean of Student Aff.-Enroll. Svcs.	1	\$91,222
26	(052)	Coord. Off-Campus Courses	1	\$91,222
27	(053)	Coord. of Non-Credit Activity	1	\$91,222
28	(054)	Director of First Years Studies	1	\$89,915
29	(055)	Assoc Director - Info & Tech Svcs	2	\$89,915
30	(056)	Exec. Director of Delta Economic Dev	1	\$89,915
31	(057)	Assoc. Dir. of Development	1	\$89,184
32	(058)	Director of Alumni	1	\$89,184
33	(059)	Director of Inst Research & Planning	1	\$88,373
34	(060)	Director of Student Aid	1	\$87,915
35	(061)	Director of Univ. Communications	1	\$84,984
36	(062)	Director of Student Health Services	1	\$84,588

1	(063)	Project/Program Administrator	51	
2		Project/Program Director		\$84,431
3		Project/Program Manager		\$76,515
4		Project/Program Specialist		\$66,016
5	(064)	Business Manager	1	\$82,332
6	(065)	Treasurer	1	\$82,332
7	(066)	Associate Controller	1	\$82,332
8	(067)	Dir. Of Grants & Other Spon. Progs.	1	\$82,332
9	(068)	Annual Fund Coordinator	1	\$81,886
10	(069)	Director of Admissions	1	\$81,865
11	(070)	Assoc. Dean of Student Affairs	6	\$81,865
12	(071)	Computer Network Coordinator	1	\$80,098
13	(072)	Architect	1	\$79,944
14	(073)	Dir.of UPD,CS,Traff & Parking	1	\$79,796
15	(074)	Asst. to VP Student Affairs	1	\$79,649
16	(075)	Asst. to the VP of Academic Affairs	1	\$79,649
17	(076)	Project Engineer	1	\$79,600
18	(077)	Counselor	4	\$79,306
19	(078)	Director of Budget	1	\$78,509
20	(079)	Development Officer	11	\$76,209
21	(080)	Director of University Relations	1	\$75,762
22	(081)	Communications Specialist	1	\$75,371
23	(082)	Director of Testing	1	\$74,447
24	(083)	Research Compliance Coordinator	1	\$73,458
25	(084)	Director of Career Services	1	\$71,709
26	(085)	Director of Upward Bound	1	\$70,558
27	(086)	Project Architect	1	\$70,520
28	(087)	Dir. of Pub. & Creative Svcs.	1	\$70,350
29	(088)	Art Gallery Director	1	\$70,350
30	(089)	Director of Printing	1	\$70,350
31	(090)	Director of Assessment	1	\$70,315
32	(091)	Dir. of Student Activities	1	\$68,072
33	(092)	Dir of Off of Int'l Student Svcs	1	\$67,093
34	(093)	Director of Distance Learning	1	\$66,391
35	(094)	Asst. Dean of Students	7	\$66,307
36	(095)	Director of Academic Advising	1	\$66,307

1	(096)	Director of Disability Services	1	\$66,307
2	(097)	Dir. of Environmental Health & Saf.	1	\$66,123
3	(098)	Asst. Dir. Records	1	\$66,123
4	(099)	Asst. Dir. of Admissions	2	\$66,123
5	(100)	Student Development Specialist	8	\$65,007
6	(101)	Registered Nurse Pract.	1	\$65,007
7	(102)	Dir. of Recreation & Intramurals	1	\$61,838
8	(103)	Assoc. Dir. of Student Aid	1	\$61,838
9	(104)	Coord. of ASU Comm. Coll. Deg. Cntrs	5	\$61,838
10	(105)	Research Analyst	3	\$61,810
11	(106)	Major Gifts Officer	1	\$61,146
12	(107)	Asst. Dir. Student Health Center	1	\$60,070
13	(108)	Assistant Director of Publications	1	\$59,051
14	(109)	Technical Director	1	\$54,692
15	(110)	Conservator	1	\$54,692
16	(111)	Academic Adviser	8	\$53,975
17	(112)	Assistant Director of Museum	1	\$53,626
18		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
19		<u>CLASSIFIED POSITIONS</u>		
20	(113)	Inst Information Tech Coord	3	GRADE C125
21	(114)	Asst Controller	1	GRADE C125
22	(115)	Computer Support Manager	1	GRADE C125
23	(116)	Information Systems Coord	1	GRADE C125
24	(117)	Systems Specialist	5	GRADE C125
25	(118)	Sr Software Support Analyst	1	GRADE C125
26	(119)	Systems Analyst	5	GRADE C122
27	(120)	Computer Support Coordinator	1	GRADE C121
28	(121)	Procurement Manager	1	GRADE C121
29	(122)	ASU Assoc Dir of Physical Plant	1	GRADE C120
30	(123)	ASU Construction Coordinator	1	GRADE C120
31	(124)	ASU Engineer Comm Facilities Dir	1	GRADE C120
32	(125)	HE Public Safety Commander I	1	GRADE C120
33	(126)	Information Technology Manager	5	GRADE C120
34	(127)	ASU Dir of Farming	1	GRADE C119
35	(128)	Computer Support Specialist	14	GRADE C119
36	(129)	Curator	2	GRADE C119

1	(130)	Data Base Analyst	2	GRADE C119
2	(131)	Development Specialist	1	GRADE C119
3	(132)	Education Counselor	2	GRADE C119
4	(133)	ASU Asst Dir of Physical Plant	3	GRADE C118
5	(134)	Career Plng & Plac Coordinator	1	GRADE C118
6	(135)	Fiscal Support Supervisor	10	GRADE C118
7	(136)	Network Support Analyst	3	GRADE C118
8	(137)	Website Developer	1	GRADE C118
9	(138)	Asst Dir of Financial Aid	1	GRADE C117
10	(139)	Budget Specialist	1	GRADE C117
11	(140)	Editor	2	GRADE C117
12	(141)	HE Public Safety Supervisor	3	GRADE C117
13	(142)	Human Resources Analyst	4	GRADE C117
14	(143)	Information Systems Analyst	8	GRADE C117
15	(144)	Maintenance Coordinator	1	GRADE C117
16	(145)	Skilled Trades Foreman	5	GRADE C117
17	(146)	ASU Asst Director of Farming	1	GRADE C116
18	(147)	ASU Dir of Housekeeping	1	GRADE C116
19	(148)	ASU Payroll Services Manager	1	GRADE C116
20	(149)	Buyer	3	GRADE C116
21	(150)	Construction Inspector	1	GRADE C116
22	(151)	Construction/Maint Coordinator	1	GRADE C116
23	(152)	Design Consultant	1	GRADE C116
24	(153)	Director of Alumni	1	GRADE C116
25	(154)	HEI Program Coordinator	24	GRADE C116
26	(155)	Public Information Specialist	1	GRADE C116
27	(156)	Public Safety Officer	22	GRADE C116
28	(157)	Radio News Director	1	GRADE C116
29	(158)	Radio Program Director	1	GRADE C116
30	(159)	Skilled Trades Supervisor	18	GRADE C116
31	(160)	Administrative Analyst	11	GRADE C115
32	(161)	Administrative Support Supv	2	GRADE C115
33	(162)	Computer Support Technician	12	GRADE C115
34	(163)	Financial Aid Analyst	7	GRADE C115
35	(164)	Fiscal Support Analyst	5	GRADE C115
36	(165)	Library Supervisor	1	GRADE C115

1	(166)	Payroll Services Specialist	1	GRADE C115
2	(167)	Skilled Tradesman	61	GRADE C115
3	(168)	Boiler Operator	5	GRADE C114
4	(169)	Broadcast Production Specialist	3	GRADE C114
5	(170)	Career Plng & Plac Specialist	1	GRADE C114
6	(171)	Commercial Graphic Artist	3	GRADE C114
7	(172)	Computer Operator	11	GRADE C114
8	(173)	Safety Supervisor	1	GRADE C114
9	(174)	Warehouse Manager	2	GRADE C114
10	(175)	Assistant Registrar	5	GRADE C113
11	(176)	Comm Artist I/Graphic Artist I	2	GRADE C113
12	(177)	Human Resources Specialist	1	GRADE C113
13	(178)	Landscape Supervisor	3	GRADE C113
14	(179)	LPN	1	GRADE C113
15	(180)	Museum Registrar	1	GRADE C113
16	(181)	Photographer	1	GRADE C113
17	(182)	Administrative Specialist III	52	GRADE C112
18	(183)	Director of Transit & Parking	1	GRADE C112
19	(184)	Farm Foreman - Institutional	1	GRADE C112
20	(185)	Fiscal Support Specialist	18	GRADE C112
21	(186)	Instrumentation Technician	3	GRADE C112
22	(187)	Maintenance Specialist	1	GRADE C112
23	(188)	Purchasing Technician	1	GRADE C112
24	(189)	Coordinator of Housekeeping	4	GRADE C111
25	(190)	Pest Control Tech	1	GRADE C111
26	(191)	Storerom Supervisor	1	GRADE C111
27	(192)	Admissions Analyst Supervisor	1	GRADE C110
28	(193)	Farm Maint Mechanic	1	GRADE C110
29	(194)	Human Resources Assistant	1	GRADE C110
30	(195)	Landscape Specialist	3	GRADE C110
31	(196)	Payroll Officer	2	GRADE C110
32	(197)	Admissions Analyst II	4	GRADE C109
33	(198)	Administrative Specialist II	70	GRADE C109
34	(199)	Broadcast Announcer	2	GRADE C109
35	(200)	Library Technician	13	GRADE C109
36	(201)	Heavy Equipment Operator	7	GRADE C109

1	(202)	Cashier	3	GRADE C109
2	(203)	Fiscal Support Technician	3	GRADE C108
3	(204)	Inventory Control Technician	2	GRADE C108
4	(205)	Maintenance Assistant	3	GRADE C108
5	(206)	Library Support Assistant	4	GRADE C108
6	(207)	Registrars Assistant	2	GRADE C108
7	(208)	Administrative Specialist I	39	GRADE C106
8	(209)	Agricultural Lab Technician	2	GRADE C106
9	(210)	Audio-Visual Lab Assistant	1	GRADE C106
10	(211)	HE Public Safety Dispatcher	4	GRADE C106
11	(212)	Apprentice Tradesman	20	GRADE C105
12	(213)	Equipment Operator	10	GRADE C105
13	(214)	Shipping & Receiving Clerk	2	GRADE C105
14	(215)	Institutional Svcs Supervisor	13	GRADE C104
15	(216)	Institutional Svcs Assistant	78	GRADE C103
16	<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>			
17	<u>ACADEMIC POSITIONS</u>			
18	(217)	Nurse Anesthesia Clinical Coord.	4	\$167,051
19	(218)	Department Chairperson	29	\$125,206
20	(219)	Faculty	57	
21		Professor		\$123,077
22		Assoc. Professor		\$114,559
23		Asst. Professor		\$97,437
24		Instructor		\$80,098
25	(220)	Research Associate	5	\$91,140
26	(221)	Asst. Library Director	2	\$69,796
27	(222)	Librarian	12	\$69,796
28	(223)	Research Assistant	18	\$54,560
29	<u>NINE MONTH EDUCATIONAL AND GENERAL</u>			
30	<u>ACADEMIC POSITIONS</u>			
31	(224)	Faculty	420	
32		Distinguished Professor		\$137,863
33		Professor		\$120,949
34		Assoc. Professor		\$106,042
35		Asst. Professor		\$88,767
36		Instructor		\$69,263

1	(225)	Part-Time Faculty	130	\$34,859
2	(226)	Graduate Assistant	240	\$21,861
3		<u>TWELVE MONTH AUXILIARY ENTERPRISES</u>		
4		<u>NON-CLASSIFIED POSITIONS</u>		
5	(227)	ASU Head Football Coach	1	\$147,243
6	(228)	Dir. of Athletics	1	\$127,819
7	(229)	Head Men's Basketball Coach	1	\$127,819
8	(230)	ASU Off. Coordinator-Football	1	\$117,202
9	(231)	ASU Def. Coordinator-Football	1	\$117,202
10	(232)	Assoc. Dir of Athletics	3	\$107,891
11	(233)	ASU Asst. Head Football Coach	1	\$103,533
12	(234)	Assistant Football Coach	6	\$103,533
13	(235)	Head Coach	9	\$90,838
14	(236)	ASU Dir. of Auxiliary Enterprises	1	\$87,261
15	(237)	Dir. of Convocation Center	1	\$84,588
16	(238)	Head Athletic Trainer	1	\$81,125
17	(239)	Asst. Dir. Athletics	6	\$81,125
18	(240)	Pharmacist	1	\$78,252
19	(241)	Assistant Coach	13	\$68,930
20	(242)	Dir of Strength & Conditioning	2	\$68,930
21	(243)	Facilities and Equipment Manager	1	\$62,072
22	(244)	Asst. Dir. of Convocation Center	1	\$60,070
23	(245)	Asst Dir of Development	1	\$54,617
24	(246)	Asst Dir of Media Relations	2	\$54,617
25	(247)	Director of Marketing	1	\$52,344
26	(248)	Ticket Manager/Convocation Center	1	\$50,779
27	(249)	Intern Coach	5	\$20,227
28		<u>TWELVE MONTH AUXILIARY ENTERPRISES</u>		
29		<u>CLASSIFIED POSITIONS</u>		
30	(250)	ASU Dir of Housing	1	GRADE C120
31	(251)	Registered Nurse	1	GRADE C120
32	(252)	Director of Student Union	1	GRADE C118
33	(253)	Skilled Trades Foreman	1	GRADE C117
34	(254)	Print Shop Manager	1	GRADE C116
35	(255)	Skilled Trades Supervisor	1	GRADE C116
36	(256)	ASU Asst Dir of Housing	2	GRADE C115

1	(257)	Asst Dir of Student Union	2	GRADE C115
2	(258)	Fiscal Support Analyst	1	GRADE C115
3	(259)	Maintenance Supervisor	1	GRADE C115
4	(260)	Skilled Tradesman	11	GRADE C115
5	(261)	Special Events Manager	1	GRADE C115
6	(262)	Institutional Printer	6	GRADE C114
7	(263)	Student Union Night Manager	1	GRADE C114
8	(264)	Administrative Specialist III	2	GRADE C112
9	(265)	Assistant Bookstore Manager	1	GRADE C112
10	(266)	Fiscal Support Specialist	1	GRADE C112
11	(267)	Special Events Coordinator	1	GRADE C112
12	(268)	Athletic Facility Supervisor	2	GRADE C111
13	(269)	Residential Advisor	1	GRADE C111
14	(270)	Administrative Specialist II	8	GRADE C109
15	(271)	Student Union Sec Mgr	2	GRADE C109
16	(272)	Cashier	1	GRADE C108
17	(273)	Administrative Specialist I	4	GRADE C106
18	(274)	Institutional Svcs Supervisor	5	GRADE C104
19	(275)	Institutional Svcs Assistant	<u>33</u>	GRADE C103
20		MAX. NO. OF EMPLOYEES	1,984	

21

22 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 23 Arkansas State University for the 2009-2010 fiscal year, the following
 24 maximum number of part-time or temporary employees, to be known as "Extra
 25 Help", payable from funds appropriated herein for such purposes: two
 26 thousand sixty four (2,064) temporary or part-time employees, when needed, at
 27 rates of pay not to exceed those provided in the Uniform Classification and
 28 Compensation Act, or its successor, or this act for the appropriate
 29 classification.

30

31 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 32 the Arkansas State University, to be payable from the Arkansas State
 33 University Fund, for personal services and operating expenses of the Arkansas
 34 State University for the fiscal year ending June 30, 2010, the following:

35

36 ITEM FISCAL YEAR

1	<u>NO.</u>	<u>2009-2010</u>
2	(01) REGULAR SALARIES	\$ 51,738,238
3	(02) EXTRA HELP	72,405
4	(03) PERSONAL SERV MATCHING	6,394,327
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	6,366,435
7	(B) CONF. & TRAVEL	56,876
8	(C) PROF. FEES	0
9	(D) CAP. OUTLAY	200,000
10	(E) DATA PROC.	0
11	(05) FUNDED DEPRECIATION	<u>500,000</u>
12	TOTAL AMOUNT APPROPRIATED	<u>\$ 65,328,281</u>

13

14 SECTION 4. ALLOCATIONS. There is hereby allocated, to the various programs
 15 of Arkansas State University, as set out herein, the following amounts of the
 16 funds appropriated in Section 3 hereof, to Arkansas State University, there
 17 to be used as provided by law, for the fiscal year ending June 30, 2010, the
 18 following:

19		MAXIMUM ALLOCATION
20	ITEM	FISCAL YEARS
21	<u>NO.</u>	<u>2009-2010</u>
22	(1) JONESBORO CAMPUS	\$62,734,200
23	(2) ASU - SYSTEM ADMINISTRATION	<u>2,594,081</u>
24	TOTAL AMOUNT ALLOCATED	<u>\$65,328,281</u>

25

26 SECTION 5. APPROPRIATION - CASH FUNDS. There is hereby appropriated, to
 27 the Arkansas State University, to be payable from cash funds as defined by
 28 Arkansas Code 19-4-801 of the Arkansas State University, for personal
 29 services and operating expenses of the Arkansas State University for the
 30 fiscal year ending June 30, 2010, the following:

31

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2009-2010</u>
34	(01) REGULAR SALARIES	\$ 22,032,300
35	(02) EXTRA HELP	13,551,373
36	(03) OVERTIME	200,000

1	(04) PERSONAL SERV MATCHING	14,459,570
2	(05) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	45,792,069
4	(B) CONF. & TRAVEL	4,029,129
5	(C) PROF. FEES	10,947,230
6	(D) CAP. OUTLAY	11,710,654
7	(E) DATA PROC.	8,155,000
8	(06) FUND TRANS/REFUND/INVESTMENTS	4,000,000
9	(07) CAPITAL IMPROVEMENTS	93,972,358
10	(08) RESALE	125,000
11	(09) DEBT SERVICE	8,000,000
12	(10) PROMOTIONAL MATERIALS	<u>200,000</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 237,174,683</u>

14

15 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
17 REALLOCATION OF RESOURCES. Upon determination by the president or chancellor
18 of an institution of higher education that a reallocation of resources for
19 purposes of reorganization or consolidation of administrative functions
20 within the institution is necessary for efficient and effective operations of
21 the institution, the president or chancellor, with approval of the
22 institution's board of trustees, may have the authority to transfer
23 positions, appropriations and related funds between campuses, divisions,
24 branches, and other budgetary units of the institution, after receiving prior
25 approval of the Legislative Council or Joint Budget Committee. The transfers
26 of positions, programs, or activities shall be used for those purposes for
27 which the appropriations were approved by the General Assembly. The
28 transfers, consolidations, or reorganizations which involve academic programs
29 shall be reviewed by the Department of Higher Education prior to submission
30 to the Legislative Council or Joint Budget Committee. Provided, however, that
31 the institution shall be limited to submitting no more than ~~four (4)~~ one (1)
32 individual transaction transfer ~~requests~~ request during any fiscal year and
33 shall be further limited to no more than five percent (5%) of the total
34 General Revenue and Special Revenue appropriation, funding, positions
35 specific to each institution and no Tobacco Settlement funds or
36 appropriations may be reallocated pursuant to this section.

1 Determining the maximum number of employees and the maximum amount of
 2 appropriation and general revenue funding for institutions of higher
 3 education each fiscal year is the prerogative of the General Assembly. This
 4 is usually accomplished by delineating such maximums in the appropriation
 5 act(s) for institutions of higher education and the general revenue
 6 allocations authorized for each fund and fund account by amendment to the
 7 Revenue Stabilization law. Further, the General Assembly has determined that
 8 institutions of higher education may operate more efficiently if some
 9 flexibility is provided to institutions of higher education authorizing broad
 10 powers under this Section. Therefore, it is both necessary and appropriate
 11 that the General Assembly maintain oversight by requiring prior approval of
 12 the Legislative Council or Joint Budget Committee as provided by this
 13 section. The requirement of approval by the Legislative Council or Joint
 14 Budget Committee is not a severable part of this section. If the requirement
 15 of approval by the Legislative Council or Joint Budget Committee is ruled
 16 unconstitutional by a court of competent jurisdiction, this entire section is
 17 void.

18 The provisions of this section shall be in effect only from July 1, ~~2007~~
 19 2009 through June 30, ~~2009~~ 2010.

20

21 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LEASES.
 23 Notwithstanding any law to the contrary, the Board of Trustees of Arkansas
 24 State University may hereafter lease facilities for operations for room and
 25 board purposes for students only in any manner and upon terms the board deems
 26 to be in the best interest of the university. Action taken under this act
 27 shall be by written resolution adopted by at least a majority of the members
 28 of the board.

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

31

32 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 34 BALANCES. The Board of Trustees in its official governing capacity charged
 35 with the management or control of the institution of higher learning and the
 36 President or Chancellor as the Chief Executive shall certify to the Chief

1 Fiscal Officer of the State and the Legislative Council that as of December
2 31 of each year that sufficient appropriations and funds are available, or
3 will become available, to meet all current and anticipated obligations during
4 the fiscal year for the payment of the obligations when they become due.
5 This certification, signed by the Chair of the Board of Trustees and the
6 President or Chancellor will be forwarded by February 28 of each year or upon
7 release of the previous year's audit by Legislative Audit to the Chief Fiscal
8 Officer of the State and the Legislative Council accompanied by the Board
9 approved published annual financial statement for the preceding fiscal year.

10 The provisions of this section shall be in effect only from July 1, ~~2007~~
11 2009 through June 30, ~~2009~~ 2010.

12
13 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
14 by this act shall be limited to the appropriation for such agency and funds
15 made available by law for the support of such appropriations; and the
16 restrictions of the State Procurement Law, the General Accounting and
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
18 Procedures and Restrictions Act, the Higher Education Expenditures
19 Restrictions Act, or their successors, and other fiscal control laws of this
20 State, where applicable, and regulations promulgated by the Department of
21 Finance and Administration, as authorized by law, shall be strictly complied
22 with in disbursement of said funds.

23
24 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
25 that any funds disbursed under the authority of the appropriations contained
26 in this act shall be in compliance with the stated reasons for which this act
27 was adopted, as evidenced by the Agency Requests, Executive Recommendations
28 and Legislative Recommendations contained in the budget manuals prepared by
29 the Department of Finance and Administration, letters, or summarized oral
30 testimony in the official minutes of the Arkansas Legislative Council or
31 Joint Budget Committee which relate to its passage and adoption.

32
33 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General
34 Assembly, that the Constitution of the State of Arkansas prohibits the
35 appropriation of funds for more than a one (1) year period; that the
36 effectiveness of this Act on July 1, 2009 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the Regular Session, the delay in the effective
3 date of this Act beyond July 1, 2009 could work irreparable harm upon the
4 proper administration and provision of essential governmental programs.
5 Therefore, an emergency is hereby declared to exist and this Act being
6 necessary for the immediate preservation of the public peace, health and
7 safety shall be in full force and effect from and after July 1, 2009.

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