

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1122

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
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, 2011; AND FOR
16 OTHER PURPOSES.

Subtitle

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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 2010-2011 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.

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9			Maximum Annual
10		Maximum	Salary Rate
11	Item	No. of	Fiscal Year
12	<u>No. Title</u>	<u>Employees</u>	<u>2010-2011</u>

13 UAMS DONALD W. REYNOLDS CENTER ON AGING
 14 TWELVE MONTH EDUCATIONAL AND GENERAL
 15 ADMINISTRATIVE POSITIONS

16	(01) Project/Program Manager	1	\$78,809
17	(02) Project/Program Specialist	4	\$67,996

18 TWELVE MONTH EDUCATIONAL AND GENERAL
 19 CLASSIFIED POSITIONS

20	(03) Administrative Specialist III	1	GRADE C112
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21 TWELVE MONTH EDUCATIONAL AND GENERAL
 22 ACADEMIC POSITIONS

23	(04) Faculty Pool	19	
24	Professor		\$156,006
25	Associate Professor		\$143,963
26	Assistant Professor		\$135,927
27	Instructor		\$109,222
28	(05) Education Coordinator	1	\$112,270
29	(06) Research Assistant	1	\$73,858

30 UAMS ARKANSAS COLLEGE OF PUBLIC HEALTH
 31 TWELVE MONTH EDUCATIONAL AND GENERAL
 32 ADMINISTRATIVE POSITIONS

33	(07) Project/Program Director	1	\$86,966
34	(08) Project/Program Specialist	1	\$67,996

35 TWELVE MONTH EDUCATIONAL AND GENERAL
 36 CLASSIFIED POSITIONS

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	\$231,890
7	(13)	Department Chairperson	5	\$164,048
8	(14)	Associate Dean	1	\$156,936
9	(15)	Faculty Pool	6	
10		Professor		\$156,006
11		Associate Professor		\$143,963
12		Assistant Professor		\$135,927
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	\$243,887
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		\$152,361
25		Research Associate Professor		\$143,962
26		Research Assistant Professor		\$135,927
27		Research Instructor		\$93,526
28	(20)	Post Doctoral Fellow	6	\$94,231
29	(21)	Graduate Assistant	4	\$36,759
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		\$86,966
35		Project/Program Manager		\$78,809
36		Project/Program Specialist		\$67,996

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	\$135,927
7	(25) Clinic Instructor	<u>1</u>	\$109,223
8	MAX. NO. OF EMPLOYEES	113	

SECTION 2. APPROPRIATION - DONALD W. REYNOLDS CENTER ON AGING. There is hereby appropriated, to the University of Arkansas for Medical Sciences, to be payable from the Targeted State Needs Program Account of the Tobacco Settlement Program Fund, for personal services and operating expenses of the University of Arkansas for Medical Sciences - Donald W. Reynolds Center on Aging for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) REGULAR SALARIES	\$ 1,132,959
(02) PERSONAL SERV MATCHING	276,765
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	603,713
(B) CONF. & TRAVEL	52,128
(C) PROF. FEES	0
(D) CAP. OUTLAY	55,231
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,120,796</u>

SECTION 3. APPROPRIATION - COLLEGE OF PUBLIC HEALTH. There is hereby appropriated, to the University of Arkansas for Medical Sciences, to be payable from the Targeted State Needs Program Account of the Tobacco Settlement Program Fund, for personal services and operating expenses of the University of Arkansas for Medical Sciences - College of Public Health for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>		<u>2010-2011</u>
2	(01) REGULAR SALARIES	\$	2,481,276
3	(02) PERSONAL SERV MATCHING		544,670
4	(03) MAINT. & GEN. OPERATION		
5	(A) OPER. EXPENSE		50,000
6	(B) CONF. & TRAVEL		20,000
7	(C) PROF. FEES		0
8	(D) CAP. OUTLAY		0
9	(E) DATA PROC.		<u>0</u>
10	TOTAL AMOUNT APPROPRIATED	\$	<u>3,095,946</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, 2011, the following:

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19	ITEM		FISCAL YEAR
20	<u>NO.</u>		<u>2010-2011</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, 2011, the following:

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4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2010-2011</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. Any authorized carry forward of unexpended balance of funding, may
 19 be carried forward under the following conditions:

20 (1) Prior to June 30, 2010 the Agency shall by written statement set forth
 21 its reason(s) for the need to carry forward said funding to the Department of
 22 Finance and Administration Office of Budget;

23 (2) The Department of Finance and Administration Office of Budget shall
 24 report to the Arkansas Legislative Council all amounts carried forward by the
 25 September Arkansas Legislative Council or Joint Budget Committee meeting
 26 which report shall include the name of the Agency, Board, Commission or
 27 Institution and the amount of the funding carried forward, the program name
 28 or line item, the funding source and a copy of the written request set forth
 29 in (1) above;

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

1 Committee; and

2 (4) Thereupon, the Department of Finance and Administration shall include
 3 all information obtained in item (3) above in the budget manuals and/or a
 4 statement of non-compliance by the Agency, Board, Commission or Institution.
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6 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 8 CHILDREN'S HOSPITAL RESEARCH PROGRAM. In any fiscal year, if the funds
 9 received by the University of Arkansas for Medical Sciences for the Arkansas
 10 Biosciences Institute under Section 4 of this Act are less than the total
 11 amount appropriated, the University of Arkansas for Medical Sciences shall
 12 provide no less than thirty-three and one-third percent (33 and 1/3%) of the
 13 available funds for the Arkansas Children's Hospital Research Program.
 14 Otherwise, the Arkansas Children's Hospital Research Program line item
 15 appropriation under Section 4 of this Act shall be funded in total or
 16 Arkansas Children's Hospital Chief Executive Officer may request that the
 17 University of Arkansas for Medical Sciences transfer such funds each fiscal
 18 year from the Arkansas Biosciences Institute Program Account to the
 19 Department of Human Services Grants Fund Account. The transferred funds shall
 20 be used to match federal funds used for Supplemental Medicaid payments to
 21 Arkansas Children's Hospital.

22 The provisions of this section shall be in effect only from July 1,
 23 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

24
 25 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 27 RESTRICTIONS. The appropriations provided in this act shall not be
 28 transferred under the provisions of Arkansas Code 19-4-522, but only as
 29 provided by this act.

30 The provisions of this section shall be in effect only from July 1,
 31 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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 33 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 35 PROVISIONS. The state-supported institution of higher education in this act
 36 may transfer appropriations between the various line items within each

1 appropriation contained in this appropriation act. Such transfers shall be
 2 made only after the approval of the Department of Higher Education and the
 3 Chief Fiscal Officer of the State, and the approval of the Legislative
 4 Council.

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

17 The provisions of this section shall be in effect only from July 1,
 18 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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 20 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 22 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
 23 State of Arkansas or any of its agencies or institutions to continue funding
 24 any position paid from the proceeds of the Tobacco Settlement in the event
 25 that Tobacco Settlement funds are not sufficient to finance the position.

26 (b) State funds will not be used to replace Tobacco Settlement funds when
 27 such funds expire, unless appropriated by the General Assembly and authorized
 28 by the Governor.

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

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

35 The provisions of this section shall be in effect only from July 1,
 36 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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

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

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

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

SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2010 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2010 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2010.