

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010
4

As Engrossed: H2/17/10, H2/24/10

A Bill

HOUSE BILL 1122

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, *FAY W.*
13 *BOOZMAN COLLEGE* OF PUBLIC HEALTH, ARKANSAS
14 BIOSCIENCES INSTITUTE AND THE AREA HEALTH
15 EDUCATION CENTER IN HELENA FOR THE FISCAL YEAR
16 ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.
17

Subtitle

18
19 *AN ACT FOR THE UNIVERSITY OF ARKANSAS*
20 *FOR MEDICAL SCIENCES - REYNOLDS CENTER*
21 *ON AGING, BOOZMAN COLLEGE OF PUBLIC*
22 *HEALTH, ARKANSAS BIOSCIENCES INSTITUTE*
23 *AND THE AREA HEALTH EDUCATION CENTER IN*
24 *HELENA APPROPRIATION.*
25
26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
28

29 SECTION 1. REGULAR SALARIES - REYNOLDS CENTER ON AGING, *BOOZMAN COLLEGE* OF
30 PUBLIC HEALTH, BIOSCIENCES INSTITUTE AND AREA HEALTH EDUCATION CENTER -
31 HELENA. There is hereby established for the University of Arkansas for
32 Medical Sciences - Reynolds Center on Aging, *Boozman College* of Public
33 Health, Biosciences Institute and Area Health Education Center - Helena for
34 the 2010-2011 fiscal year, the following maximum number of regular employees
35 whose salaries shall be governed by the provisions of the Uniform
36 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or



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

| Item No. | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2010-2011 |
|--|-------------------------------|--------------------------|--|
| <u>UAMS DONALD W. REYNOLDS CENTER ON AGING</u> | | | |
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u> | | | |
| (01) | Project/Program Manager | 1 | \$78,809 |
| (02) | Project/Program Specialist | 4 | \$67,996 |
| <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 | | \$156,006 |
| | Associate Professor | | \$143,963 |
| | Assistant Professor | | \$135,927 |
| | Instructor | | \$109,222 |
| (05) | Education Coordinator | 1 | \$112,270 |
| (06) | Research Assistant | 1 | \$73,858 |
| <u>UAMS FAY W. BOOZMAN COLLEGE OF PUBLIC HEALTH</u> | | | |
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u> | | | |
| (07) | Project/Program Director | 1 | \$86,966 |
| (08) | Project/Program Specialist | 1 | \$67,996 |
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS</u> | | | |
| (09) | Research Technologist | 1 | GRADE C119 |

| | | | | |
|----|------|---|----|------------|
| 1 | (10) | Administrative Specialist III | 3 | GRADE C112 |
| 2 | (11) | Administrative Specialist II | 1 | GRADE C109 |
| 3 | | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | |
| 4 | | <u>ACADEMIC POSITIONS</u> | | |
| 5 | (12) | Dean | 1 | \$231,890 |
| 6 | (13) | Department Chairperson | 5 | \$164,048 |
| 7 | (14) | Associate Dean | 1 | \$156,936 |
| 8 | (15) | Faculty Pool | 6 | |
| 9 | | Professor | | \$156,006 |
| 10 | | Associate Professor | | \$143,963 |
| 11 | | Assistant Professor | | \$135,927 |
| 12 | | <u>ARKANSAS BIOSCIENCES INSTITUTE</u> | | |
| 13 | | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | |
| 14 | | <u>ADMINISTRATIVE POSITIONS</u> | | |
| 15 | (16) | Director of Biosciences Institute | 1 | \$243,887 |
| 16 | | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | |
| 17 | | <u>CLASSIFIED POSITIONS</u> | | |
| 18 | (17) | Research Technologist | 6 | GRADE C119 |
| 19 | (18) | Research Technician | 4 | GRADE C109 |
| 20 | | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | |
| 21 | | <u>ACADEMIC POSITIONS</u> | | |
| 22 | (19) | Faculty Pool | 24 | |
| 23 | | Research Professor | | \$152,361 |
| 24 | | Research Associate Professor | | \$143,962 |
| 25 | | Research Assistant Professor | | \$135,927 |
| 26 | | Research Instructor | | \$93,526 |
| 27 | (20) | Post Doctoral Fellow | 6 | \$94,231 |
| 28 | (21) | Graduate Assistant | 4 | \$36,759 |
| 29 | | <u>UAMS AREA HEALTH EDUCATION CENTER IN</u> | | |
| 30 | | <u>HELENA TWELVE MONTH EDUCATIONAL AND</u> | | |
| 31 | | <u>GENERAL ADMINISTRATIVE POSITIONS</u> | | |
| 32 | (22) | Administrative Support Pool | 17 | |
| 33 | | Project/Program Director | | \$86,966 |
| 34 | | Project/Program Manager | | \$78,809 |
| 35 | | Project/Program Specialist | | \$67,996 |
| 36 | | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | |

| | | | |
|---|---|----------|------------|
| 1 | <u>CLASSIFIED POSITIONS</u> | | |
| 2 | (23) Administrative Specialist III | 2 | GRADE C112 |
| 3 | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> | | |
| 4 | <u>ACADEMIC POSITIONS</u> | | |
| 5 | (24) Assistant Professor | 1 | \$135,927 |
| 6 | (25) Clinic Instructor | <u>1</u> | \$109,223 |
| 7 | MAX. NO. OF EMPLOYEES | 113 | |

8

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

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

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

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

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

14 Aging for the fiscal year ending June 30, 2011, the following:

| 16 | ITEM | FISCAL YEAR | |
|----|------------------------------|------------------|-------------------------|
| 17 | <u>NO.</u> | <u>2010-2011</u> | |
| 18 | (01) REGULAR SALARIES | \$ | 1,292,959 |
| 19 | (02) PERSONAL SERV MATCHING | | 316,765 |
| 20 | (03) MAINT. & GEN. OPERATION | | |
| 21 | (A) OPER. EXPENSE | | 603,713 |
| 22 | (B) CONF. & TRAVEL | | 52,128 |
| 23 | (C) PROF. FEES | | 0 |
| 24 | (D) CAP. OUTLAY | | 55,231 |
| 25 | (E) DATA PROC. | | <u>0</u> |
| 26 | TOTAL AMOUNT APPROPRIATED | \$ | <u><u>2,320,796</u></u> |

27

28 SECTION 3. APPROPRIATION - *FAY W. BOOZMAN COLLEGE* OF PUBLIC HEALTH. There

29 is hereby appropriated, to the University of Arkansas for Medical Sciences,

30 to be payable from the Targeted State Needs Program Account of the Tobacco

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

32 University of Arkansas for Medical Sciences - *Fay W. Boozman College of*

33 *Public Health* for the fiscal year ending June 30, 2011, the following:

| 35 | ITEM | FISCAL YEAR | |
|----|------------|------------------|--|
| 36 | <u>NO.</u> | <u>2010-2011</u> | |

| | | |
|---|------------------------------|---------------------|
| 1 | (01) REGULAR SALARIES | \$ 2,561,276 |
| 2 | (02) PERSONAL SERV MATCHING | 564,670 |
| 3 | (03) MAINT. & GEN. OPERATION | |
| 4 | (A) OPER. EXPENSE | 50,000 |
| 5 | (B) CONF. & TRAVEL | 20,000 |
| 6 | (C) PROF. FEES | 0 |
| 7 | (D) CAP. OUTLAY | 0 |
| 8 | (E) DATA PROC. | <u>0</u> |
| 9 | TOTAL AMOUNT APPROPRIATED | <u>\$ 3,195,946</u> |

10

11 SECTION 4. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby
 12 appropriated, to the University of Arkansas for Medical Sciences, to be
 13 payable from the Arkansas Biosciences Institute Program Account of the
 14 Tobacco Settlement Program Fund, for personal services and operating expenses
 15 of the University of Arkansas for Medical Sciences - Arkansas Biosciences
 16 Institute for the fiscal year ending June 30, 2011, the following:

17

| 18 | ITEM | FISCAL YEAR |
|----|----------------------------------|---------------------|
| 19 | <u>NO.</u> | <u>2010-2011</u> |
| 20 | (01) REGULAR SALARIES | \$ 1,407,267 |
| 21 | (02) PERSONAL SERV MATCHING | 337,875 |
| 22 | (03) MAINT. & GEN. OPERATION | |
| 23 | (A) OPER. EXPENSE | 1,042,499 |
| 24 | (B) CONF. & TRAVEL | 23,960 |
| 25 | (C) PROF. FEES | 37,940 |
| 26 | (D) CAP. OUTLAY | 1,434,680 |
| 27 | (E) DATA PROC. | 0 |
| 28 | (04) ARKANSAS CHILDRENS HOSPITAL | |
| 29 | RESEARCH PROGRAM | <u>1,896,736</u> |
| 30 | TOTAL AMOUNT APPROPRIATED | <u>\$ 6,180,957</u> |

31

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

1 Helena for the fiscal year ending June 30, 2011, the following:

2

| 3 ITEM | FISCAL YEAR |
|--------------------------------|---------------------|
| 4 <u>NO.</u> | <u>2010-2011</u> |
| 5 (01) REGULAR SALARIES | \$ 1,292,959 |
| 6 (02) PERSONAL SERV MATCHING | 316,765 |
| 7 (03) MAINT. & GEN. OPERATION | |
| 8 (A) OPER. EXPENSE | 603,713 |
| 9 (B) CONF. & TRAVEL | 52,128 |
| 10 (C) PROF. FEES | 0 |
| 11 (D) CAP. OUTLAY | 55,231 |
| 12 (E) DATA PROC. | <u>0</u> |
| 13 TOTAL AMOUNT APPROPRIATED | <u>\$ 2,320,796</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. CARRY
 17 FORWARD. Any authorized carry forward of unexpended balance of funding, may
 18 be carried forward under the following conditions:

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

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

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

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

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

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

23
24 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
26 RESTRICTIONS. The appropriations provided in this act shall not be
27 transferred under the provisions of Arkansas Code 19-4-522, but only as
28 provided by this act.

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

31
32 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
34 PROVISIONS. The state-supported institution of higher education in this act
35 may transfer appropriations between the various line items within each
36 appropriation contained in this appropriation act. Such transfers shall be

1 made only after the approval of the Department of Higher Education and the
2 Chief Fiscal Officer of the State, and the approval of the Legislative
3 Council.

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

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

18
19 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
22 State of Arkansas or any of its agencies or institutions to continue funding
23 any position paid from the proceeds of the Tobacco Settlement in the event
24 that Tobacco Settlement funds are not sufficient to finance the position.

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

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

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

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

36

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

12
13 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
15 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds
16 disbursed under the authority of the appropriations contained in this act
17 shall be in compliance with the stated reasons for which this act was
18 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
19 Executive Recommendations and Legislative Recommendations contained in the
20 budget manuals prepared by the Department of Finance and Administration,
21 letters, or summarized oral testimony in the official minutes of the Arkansas
22 Legislative Council or Joint Budget Committee which relate to its passage and
23 adoption.

24
25 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
26 Assembly, that the Constitution of the State of Arkansas prohibits the
27 appropriation of funds for more than a one (1) year period; that the
28 effectiveness of this Act on July 1, 2010 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the legislative session, the delay in the
31 effective date of this Act beyond July 1, 2010 could work irreparable harm
32 upon the proper administration and provision of essential governmental
33 programs. Therefore, an emergency is hereby declared to exist and this Act
34 being necessary for the immediate preservation of the public peace, health
35 and safety shall be in full force and effect from and after July 1, 2010.

36 */s/ Joint Budget Committee*