

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

HOUSE BILL 1321

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE ARKANSAS STATE  
UNIVERSITY - ARKANSAS BIOSCIENCES INSTITUTE FOR THE  
FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER  
PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS STATE UNIVERSITY  
- ARKANSAS BIOSCIENCES INSTITUTE  
APPROPRIATION FOR THE 2013-2014 FISCAL  
YEAR.

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

SECTION 1. REGULAR SALARIES - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby established for the Arkansas State University - Arkansas Biosciences Institute for the 2013-2014 fiscal year, the following maximum number of regular employees.

		Maximum Annual
		Salary Rate
Item	No. of	Fiscal Year
No.	Title	Employees
		2013-2014
<u>ARKANSAS BIOSCIENCES INSTITUTE</u>		
<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
<u>ADMINISTRATIVE POSITIONS</u>		
(1)	Exec Director of Biosciences Inst	1 \$181,298



1	(2)	Director, Research & Tech Transfer	1	\$169,965
2	(3)	Asst Director, Biosciences Institute	1	\$95,661
3	(4)	Project/Program Administrator	6	
4		Project/Program Director		\$95,028
5		Project/Program Manager		\$86,118
6		Project/Program Specialist		\$74,301
7	(5)	Research Assistant	6	\$61,646
8		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
9		<u>CLASSIFIED POSITIONS</u>		
10	(6)	Skilled Tradesman	1	GRADE C115
11	(7)	Administrative Specialist III	3	GRADE C112
12	(8)	Laboratory Coordinator	1	GRADE C111
13	(9)	Institutional Svcs Assistant	3	GRADE C103
14		<u>TWELVE MONTH EDUCATIONAL AND GENERAL</u>		
15		<u>ACADEMIC POSITIONS</u>		
16	(10)	Faculty	14	
17		Research Professor		\$166,489
18		Research Associate Professor		\$157,311
19		Research Assistant Professor		\$148,531
20		Research Instructor		\$102,198
21	(11)	Research Associate	6	\$102,969
22	(12)	Research Graduate Assistant	<u>6</u>	\$40,168
23		MAX. NO. OF EMPLOYEES	49	

SECTION 2. EXTRA HELP - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby authorized, for the Arkansas State University - Arkansas Biosciences Institute for the 2013-2014 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: fifty (50) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby appropriated, to the Arkansas State University, to be payable from the Arkansas Biosciences Institute Program Account of the Tobacco Settlement

Program Fund, for personal services and operating expenses of the Arkansas State University - Arkansas Biosciences Institute for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) REGULAR SALARIES	\$2,183,519
(02) EXTRA HELP	15,450
(03) PERSONAL SERVICES MATCHING	563,273
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	2,551,160
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	166,054
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$5,479,456</u></u>

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

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISIONS. The state-supported institution of higher education in this act may transfer appropriations between the various line items within each appropriation contained in this appropriation act. Such transfers shall be made only after the approval of the Department of Higher Education and the Chief Fiscal Officer of the State, and the approval of the Legislative Council.

The General Assembly has determined that the institution in this act could be operated more efficiently if some flexibility is given to that institution and that flexibility is being accomplished by providing authority to transfer

1 between items of appropriation made by this act. Since the General Assembly  
2 has granted the institution broad powers under the transfer of  
3 appropriations, it is both necessary and appropriate that the General  
4 Assembly maintain oversight of the utilization of the transfers by requiring  
5 prior approval of the Legislative Council in the utilization of the transfer  
6 authority. Therefore, the requirement of approval by the Legislative Council  
7 is not a severable part of this section. If the requirement of approval by  
8 the Legislative Council is ruled unconstitutional by a court of competent  
9 jurisdiction, this entire section is void.

10 The provisions of this section shall be in effect only from July 1, ~~2012~~  
11 2013 through June 30, ~~2013~~ 2014.

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13 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
15 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the  
16 State of Arkansas or any of its agencies or institutions to continue funding  
17 any position paid from the proceeds of the Tobacco Settlement in the event  
18 that Tobacco Settlement funds are not sufficient to finance the position.  
19 (b) State funds will not be used to replace Tobacco Settlement funds when  
20 such funds expire, unless appropriated by the General Assembly and authorized  
21 by the Governor.  
22 (c) A disclosure of the language contained in (a) and (b) of this Section  
23 shall be made available to all new hire and current positions paid from the  
24 proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.  
25 (d) Whenever applicable the information contained in (a) and (b) of this  
26 Section shall be included in the employee handbook and/or Professional  
27 Services Contract paid from the proceeds of the Tobacco Settlement.

28 The provisions of this section shall be in effect only from July 1, ~~2012~~  
29 2013 through June 30, ~~2013~~ 2014.

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31 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
33 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act  
34 shall be limited to the appropriation for such agency and funds made  
35 available by law for the support of such appropriations; and the restrictions  
36 of the State Purchasing Law, the General Accounting and Budgetary Procedures

1 Law, the Regular Salary Procedures and Restrictions Act, or their successors,  
2 and other fiscal control laws of this State, where applicable, and  
3 regulations promulgated by the Department of Finance and Administration, as  
4 authorized by law, shall be strictly complied with in disbursement of said  
5 funds.

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7 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
9 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds  
10 disbursed under the authority of the appropriations contained in this act  
11 shall be in compliance with the stated reasons for which this act was  
12 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,  
13 Executive Recommendations and Legislative Recommendations contained in the  
14 budget manuals prepared by the Department of Finance and Administration,  
15 letters, or summarized oral testimony in the official minutes of the Arkansas  
16 Legislative Council or Joint Budget Committee which relate to its passage and  
17 adoption.

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19 SECTION 9. 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, 2013 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 legislative session, the delay in the  
25 effective date of this Act beyond July 1, 2013 could work irreparable harm  
26 upon the proper administration and provision of essential governmental  
27 programs. Therefore, an emergency is hereby declared to exist and this Act  
28 being necessary for the immediate preservation of the public peace, health  
29 and safety shall be in full force and effect from and after July 1, 2013.