

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020

A Bill

HOUSE BILL 1037

4
5 By: Joint Budget Committee

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS
10 AND THE DIVISION OF AGRICULTURE - ARKANSAS
11 BIOSCIENCES INSTITUTES FOR THE FISCAL YEAR ENDING
12 JUNE 30, 2021; AND FOR OTHER PURPOSES.

Subtitle

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16 AN ACT FOR THE UNIVERSITY OF ARKANSAS AND
17 THE DIVISION OF AGRICULTURE - ARKANSAS
18 BIOSCIENCES INSTITUTES APPROPRIATION FOR
19 THE 2020-2021 FISCAL YEAR.

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

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24 SECTION 1. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTES. There is
25 hereby appropriated, to the University of Arkansas, to be payable from the
26 Arkansas Biosciences Institute Program Account of the Tobacco Settlement
27 Fund, for personal services and operating expenses of the University of
28 Arkansas - Arkansas Biosciences Institute for the fiscal year ending June 30,
29 2021, the following:

31 ITEM	FISCAL YEAR
32 NO.	2020-2021
33 (01) REGULAR SALARIES	\$480,000
34 (02) PERSONAL SERVICES MATCHING	75,000
35 (03) MAINT. & GEN. OPERATION	
36 (A) OPER. EXPENSE	800,000



1	(B) CONF. & TRAVEL	0
2	(C) PROF. FEES	0
3	(D) CAP. OUTLAY	1,020,563
4	(E) DATA PROC.	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,375,563</u></u>

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7 SECTION 2. APPROPRIATION - DIVISION OF AGRICULTURE - ARKANSAS

8 BIOSCIENCES. There is hereby appropriated, to the University of Arkansas -

9 Division of Agriculture, to be payable from the Arkansas Biosciences

10 Institute Program Account of the Tobacco Settlement Fund, for personal

11 services and operating expenses of the University of Arkansas - Division of

12 Agriculture - Arkansas Biosciences Institute for the fiscal year ending June

13 30, 2021, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2020-2021</u>
17	(01) REGULAR SALARIES	\$1,356,100
18	(02) PERSONAL SERVICES MATCHING	359,332
19	(03) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	380,000
21	(B) CONF. & TRAVEL	40,000
22	(C) PROF. FEES	100,000
23	(D) CAP. OUTLAY	180,000
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,415,432</u></u>

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27 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

29 RESTRICTIONS. The appropriations provided in this act shall not be

30 transferred under the provisions of Arkansas Code 19-4-522, but only as

31 provided by this act.

32 The provisions of this section shall be in effect only from July 1, ~~2019~~

33 2020 through June 30, ~~2020~~ 2021.

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35 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

1 PROVISIONS. The state-supported institution of higher education in this act
2 may transfer appropriations between the various line items within each
3 appropriation contained in this appropriation act. Such transfers shall be
4 made only after the approval of the Department of Higher Education and the
5 Chief Fiscal Officer of the State, and the approval of the Legislative
6 Council or Joint Budget Committee.

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

20 The provisions of this section shall be in effect only from July 1, 2019
21 2020 through June 30, ~~2020~~ 2021.

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23 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

35 (d) Whenever applicable the information contained in (a) and (b) of this
36 Section shall be included in the employee handbook and/or Professional

1 Services Contract paid from the proceeds of the Tobacco Settlement.

2 The provisions of this section shall be in effect only from July 1, 2019
3 2020 through June 30, ~~2020~~ 2021.

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

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

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29 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
30 Assembly, that the Constitution of the State of Arkansas prohibits the
31 appropriation of funds for more than a one (1) year period; that the
32 effectiveness of this Act on July 1, 2020 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the legislative session, the delay in the
35 effective date of this Act beyond July 1, 2020 could work irreparable harm
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act
2 being necessary for the immediate preservation of the public peace, health
3 and safety shall be in full force and effect from and after July 1, 2020.

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