

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 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: H3/10/03*

# A Bill

HOUSE BILL 1717

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, ARKANSAS  
13 SCHOOL OF PUBLIC HEALTH, ARKANSAS BIOSCIENCES  
14 INSTITUTE AND AREA HEALTH EDUCATION CENTER IN  
15 HELENA FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
16 2005; AND FOR OTHER PURPOSES.  
17  
18

## Subtitle

19 AN ACT FOR THE UNIVERSITY OF ARKANSAS  
20 FOR MEDICAL SCIENCES - REYNOLDS CENTER  
21 ON AGING, SCHOOL OF PUBLIC HEALTH,  
22 ARKANSAS BIOSCIENCES INSTITUTE AND AREA  
23 HEALTH EDUCATION CENTER IN HELENA  
24 APPROPRIATION FOR THE 2003-2005 BIENNIUM  
25  
26  
27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
29

30 SECTION 1. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES  
31 - DONALD W. REYNOLDS CENTER ON AGING - OPERATIONS. There is hereby  
32 established for the University of Arkansas for Medical Sciences - Donald W.  
33 Reynolds Center on Aging for the 2003-2005 biennium, the following maximum  
34 number of regular employees whose salaries shall be governed by the  
35 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
36 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.



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

| Item No.   | Title                           | Maximum No. of Employees | Maximum Annual Salary Rate<br>Fiscal Years<br>2003-2004 | 2004-2005 |
|--|---------------------------------|--------------------------|---|-----------|
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u> |                                 |                          |   |           |
| 14   | (1) Project/Program Manager     | 1                        | \$66,038  | \$67,693  |
| 15   | (2) Project/Program Specialist  | 4                        | \$56,780  | \$58,259  |
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS</u>     |                                 |                          |   |           |
| 18   | (3) Administrative Assistant II | 1                        | GRADE 17  |           |
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS</u>       |                                 |                          |   |           |
| 21   | (4) Faculty Pool                | 19                       |   |           |
| 22   | Professor                       |                          | \$132,707   | \$135,415 |
| 23   | Associate Professor             |                          | \$122,261   | \$124,823 |
| 24   | Assistant Professor             |                          | \$115,293   | \$117,757 |
| 25   | Instructor                      |                          | \$92,131  | \$94,271  |
| 26   | (5) Education Coordinator       | 1                        | \$94,775  | \$96,952  |
| 27   | (6) Research Assistant          | <u>1</u>                 | \$61,800  | \$63,374  |
| 28   | MAX. NO. OF EMPLOYEES           | 27                       |   |           |

30 SECTION 2. APPROPRIATION - DONALD W. REYNOLDS CENTER ON AGING. There is  
 31 hereby appropriated, to the University of Arkansas for Medical Sciences -  
 32 Donald W. Reynolds Center on Aging, to be payable from the Targeted State  
 33 Needs Program Account of the Tobacco Settlement Program Fund, for personal  
 34 services and maintenance and operations of the Donald W. Reynolds Center on  
 35 Aging for the biennial period ending June 30, 2005, the following:

36

| ITEM NO.                     | FISCAL YEARS        |                     |
|------------------------------|---------------------|---------------------|
|                              | 2003-2004           | 2004-2005           |
| (01) REGULAR SALARIES        | \$ 1,278,528        | \$ 1,278,527        |
| (02) PERSONAL SERV MATCHING  | 232,733             | 232,733             |
| (03) MAINT. & GEN. OPERATION |                     |                     |
| (A) OPER. EXPENSE            | 198,515             | 198,515             |
| (B) CONF. & TRAVEL           | 56,500              | 56,500              |
| (C) PROF. FEES               | 0                   | 0                   |
| (D) CAP. OUTLAY              | 558,200             | 558,200             |
| (E) DATA PROC.               | <u>0</u>            | <u>0</u>            |
| TOTAL AMOUNT APPROPRIATED    | <u>\$ 2,324,476</u> | <u>\$ 2,324,475</u> |

12

13 SECTION 3. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES  
 14 - ARKANSAS SCHOOL OF PUBLIC HEALTH - OPERATIONS. There is hereby established  
 15 for the University of Arkansas for Medical Sciences - Arkansas School Of  
 16 Public Health for the 2003-2005 biennium, the following maximum number of  
 17 regular employees whose salaries shall be governed by the provisions of the  
 18 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
 19 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
 20 that any position to which a specific maximum annual salary is set out herein  
 21 in dollars, shall be exempt from the provisions of said Uniform  
 22 Classification and Compensation Act. All persons occupying positions  
 23 authorized herein are hereby governed by the provisions of the Regular  
 24 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
 25 successor.

26

| Item No.   | Title                      | Maximum No. of Employees | Maximum Annual Salary Rate |           |
|--|----------------------------|--------------------------|----------------------------|-----------|
|  |                            |                          | 2003-2004                  | 2004-2005 |
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u> |                            |                          |                            |           |
| (1)  | Project/Program Director   | 1                        | \$73,024                   | \$74,811  |
| (2)  | Project/Program Specialist | 1                        | \$56,780                   | \$58,259  |
| <u>TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS</u>     |                            |                          |                            |           |

36

|    |   |       |                     |
|----|---|-------|---------------------|
| 1  | (3) Systems Analyst II                      | 1     | GRADE 22            |
| 2  | (4) Research Technologist II                | 1     | GRADE 20            |
| 3  | (5) Administrative Assistant II             | 6     | GRADE 17            |
| 4  | (6) Secretary II                            | 1     | GRADE 13            |
| 5  | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> |       |                     |
| 6  | <u>ACADEMIC POSITIONS</u>                   |       |                     |
| 7  | (7) Dean                                    | 1     | \$198,519 \$202,148 |
| 8  | (8) Department Chairperson                  | 5     | \$139,680 \$142,486 |
| 9  | (9) Associate Dean                          | 1     | \$133,512 \$136,231 |
| 10 | (10) Faculty Pool                           | 6     |                     |
| 11 | Professor                                   |       | \$132,707 \$135,415 |
| 12 | Associate Professor                         |       | \$122,261 \$124,823 |
| 13 | Assistant Professor                         | _____ | \$115,293 \$117,757 |
| 14 | MAX. NO. OF EMPLOYEES                       | 24    |                     |

SECTION 4. APPROPRIATION - ARKANSAS SCHOOL OF PUBLIC HEALTH. There is hereby appropriated, to the University of Arkansas for Medical Sciences - Arkansas School of Public Health, to be payable from the Targeted State Needs Program Account of the Tobacco Settlement Program Fund, for personal services and maintenance and operations of the Arkansas School of Public Health for the biennial period ending June 30, 2005, the following:

| ITEM                         | FISCAL YEARS        |                     |
|------------------------------|---------------------|---------------------|
| <u>NO.</u>                   | <u>2003-2004</u>    | <u>2004-2005</u>    |
| (01) REGULAR SALARIES        | \$ 2,500,613        | \$ 2,500,613        |
| (02) PERSONAL SERV MATCHING  | 484,316             | 484,316             |
| (03) MAINT. & GEN. OPERATION |                     |                     |
| (A) OPER. EXPENSE            | 196,784             | 196,784             |
| (B) CONF. & TRAVEL           | 40,000              | 40,000              |
| (C) PROF. FEES               | 100,000             | 100,000             |
| (D) CAP. OUTLAY              | 165,000             | 165,000             |
| (E) DATA PROC.               | _____ 0             | _____ 0             |
| TOTAL AMOUNT APPROPRIATED    | <u>\$ 3,486,713</u> | <u>\$ 3,486,713</u> |

SECTION 5. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - ARKANSAS BIOSCIENCES INSTITUTE - OPERATIONS. There is hereby established

1 for the University of Arkansas for Medical Sciences - Arkansas Biosciences  
 2 Institute for the 2003-2005 biennium, the following maximum number of regular  
 3 employees whose salaries shall be governed by the provisions of the Uniform  
 4 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
 5 its successor, and all laws amendatory thereto. Provided, however, that any  
 6 position to which a specific maximum annual salary is set out herein in  
 7 dollars, shall be exempt from the provisions of said Uniform Classification  
 8 and Compensation Act. All persons occupying positions authorized herein are  
 9 hereby governed by the provisions of the Regular Salaries Procedures and  
 10 Restrictions Act (Arkansas Code §21-5-101), or its successor.

| 11 |   |                                   | Maximum Annual |              |           |
|----|---|-----------------------------------|----------------|--------------|-----------|
| 12 |   |                                   | Maximum        | Salary Rate  |           |
| 13 | Item  | Maximum                           | No. of         | Fiscal Years |           |
| 14 | No.   | Title                             | Employees      | 2003-2004    | 2004-2005 |
| 15 | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> |                                   |                |              |           |
| 16 | <u>ADMINISTRATIVE POSITIONS</u>             |                                   |                |              |           |
| 17 | (1)   | Director of Biosciences Institute | 1              | \$208,923    | \$212,698 |
| 18 | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> |                                   |                |              |           |
| 19 | <u>CLASSIFIED POSITIONS</u>                 |                                   |                |              |           |
| 20 | (2)   | Research Technologist I           | 12             | GRADE 18     |           |
| 21 | (3)   | Research Technician               | 12             | GRADE 13     |           |
| 22 | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> |                                   |                |              |           |
| 23 | <u>ACADEMIC POSITIONS</u>                   |                                   |                |              |           |
| 24 | (4)   | Faculty Pool                      | 24             |              |           |
| 25 |   | Research Professor                |                | \$129,544    | \$132,208 |
| 26 |   | Research Associate Professor      |                | \$122,260    | \$124,822 |
| 27 |   | Research Assistant Professor      |                | \$115,293    | \$117,757 |
| 28 |   | Research Instructor               |                | \$78,639     | \$80,533  |
| 29 | (5)   | Post Doctoral Fellow              | 6              | \$79,243     | \$81,149  |
| 30 | (6)   | Graduate Assistant                | <u>4</u>       | \$30,567     | \$31,392  |
| 31 |   | MAX. NO. OF EMPLOYEES             | 59             |              |           |
| 32 |   |                                   |                |              |           |

33  
 34 SECTION 6. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is hereby  
 35 appropriated, to the University of Arkansas for Medical Sciences - Arkansas  
 36 Biosciences Institute, to be payable from the Arkansas Biosciences Institute

1 Program Account of the Tobacco Settlement Program Fund, for personal services  
 2 and maintenance and operations of the University of Arkansas for Medical  
 3 Sciences - Arkansas Biosciences Institute for the biennial period ending June  
 4 30, 2005, the following:

| 6 ITEM                               | FISCAL YEARS        |                     |
|--------------------------------------|---------------------|---------------------|
| 7 NO.                                | 2003-2004           | 2004-2005           |
| 8 (01) REGULAR SALARIES              | \$ 1,926,987        | \$ 1,926,987        |
| 9 (02) PERSONAL SERV MATCHING        | 350,773             | 350,773             |
| 10 (03) MAINT. & GEN. OPERATION      |                     |                     |
| 11 (A) OPER. EXPENSE                 | 524,144             | 524,144             |
| 12 (B) CONF. & TRAVEL                | 60,000              | 60,000              |
| 13 (C) PROF. FEES                    | 300,000             | 300,000             |
| 14 (D) CAP. OUTLAY                   | 1,000,000           | 1,000,000           |
| 15 (E) DATA PROC.                    | 0                   | 0                   |
| 16 (04) ARKANSAS CHILDREN'S HOSPITAL |                     |                     |
| 17 RESEARCH PROGRAM                  | <u>1,994,772</u>    | <u>1,994,772</u>    |
| 18 TOTAL AMOUNT APPROPRIATED         | <u>\$ 6,156,676</u> | <u>\$ 6,156,676</u> |

19

20 SECTION 7. REGULAR SALARIES - UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES  
 21 - AREA HEALTH EDUCATION CENTER IN HELENA - OPERATIONS. There is hereby  
 22 established for the University of Arkansas for Medical Sciences - Area Health  
 23 Education Center In Helena for the 2003-2005 biennium, the following maximum  
 24 number of regular employees whose salaries shall be governed by the  
 25 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
 26 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
 27 Provided, however, that any position to which a specific maximum annual  
 28 salary is set out herein in dollars, shall be exempt from the provisions of  
 29 said Uniform Classification and Compensation Act. All persons occupying  
 30 positions authorized herein are hereby governed by the provisions of the  
 31 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
 32 or its successor.

| 34      | Maximum | Maximum Annual |
|---------|---------|----------------|
| 35      | No. of  | Salary Rate    |
| 36 Item | Fiscal  | Years          |

| No. | Title                                       | Employees | 2003-2004 | 2004-2005 |
|-----|---|-----------|-----------|-----------|
|     | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> |           |           |           |
|     | <u>ADMINISTRATIVE POSITIONS</u>             |           |           |           |
| (1) | Administrative Support Pool                 | 17        |           |           |
|     | Project/Program Director                    |           | \$73,024  | \$74,811  |
|     | Project/Program Manager                     |           | \$66,038  | \$67,693  |
|     | Project/Program Specialist                  |           | \$56,780  | \$58,259  |
|     | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> |           |           |           |
|     | <u>CLASSIFIED POSITIONS</u>                 |           |           |           |
| (2) | Administrative Assistant II                 | 2         |           | GRADE 17  |
|     | <u>TWELVE MONTH EDUCATIONAL AND GENERAL</u> |           |           |           |
|     | <u>ACADEMIC POSITIONS</u>                   |           |           |           |
| (3) | Assistant Professor                         | 2         | \$115,293 | \$117,757 |
| (4) | Clinic Instructor                           | 1         | \$92,132  | \$94,272  |
| (5) | RN II - AHEC                                | 2         | \$68,739  | \$70,445  |
| (6) | Assistant Instructor                        | <u>5</u>  | \$65,511  | \$67,156  |
|     | MAX. NO. OF EMPLOYEES                       | 29        |           |           |

SECTION 8. APPROPRIATION - AREA HEALTH EDUCATION CENTER IN HELENA. There is hereby appropriated, to the University of Arkansas for Medical Sciences - Area Health Education Center in Helena, to be payable from the Targeted State Needs Program Account of the Tobacco Settlement Program Fund, for personal services and maintenance and operations of the Area Health Education Center in Helena for the biennial period ending June 30, 2005, the following:

| ITEM NO.                     | FISCAL YEARS        |                     |
|------------------------------|---------------------|---------------------|
|                              | 2003-2004           | 2004-2005           |
| (01) REGULAR SALARIES        | \$ 1,347,405        | \$ 1,347,405        |
| (02) PERSONAL SERV MATCHING  | 245,270             | 245,270             |
| (03) MAINT. & GEN. OPERATION |                     |                     |
| (A) OPER. EXPENSE            | 340,800             | 340,800             |
| (B) CONF. & TRAVEL           | 41,000              | 41,000              |
| (C) PROF. FEES               | 0                   | 0                   |
| (D) CAP. OUTLAY              | 350,000             | 350,000             |
| (E) DATA PROC.               | <u>0</u>            | <u>0</u>            |
| TOTAL AMOUNT APPROPRIATED    | <u>\$ 2,324,475</u> | <u>\$ 2,324,475</u> |

1  
2 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
4 FORWARD. Such appropriation as is authorized in this Act which remains at the  
5 end of the first fiscal year of the biennium may be carried forward into the  
6 second fiscal year of the biennium there to be used for the same purposes.

7 The provisions of this section shall be in effect only from July 1, 2003  
8 through June 30, 2005.

9  
10 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
12 CHILDREN'S HOSPITAL RESEARCH PROGRAM. In any fiscal year, if the funds  
13 received by the University of Arkansas for Medical Sciences for the Arkansas  
14 Biosciences Institute under Section 2 6 of this Act are less than the total  
15 amount appropriated, the University of Arkansas for Medical Sciences shall  
16 provide no less than thirty-three and one-third percent (33 and 1/3%) of the  
17 available funds for the Arkansas Children's Hospital Research Program.  
18 Otherwise, the Arkansas Children's Hospital Research Program line item  
19 appropriation under Section 2 6 of this Act shall be funded in total.

20 The provisions of this section shall be in effect only from July 1, 2003  
21 through June 30, 2005.

22  
23 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
25 RESTRICTIONS. The appropriations provided in this act shall not be  
26 transferred under the provisions of Arkansas Code 19-4-522 or the provisions  
27 of Arkansas Code 6-62-104, but only as provided by this act.

28 The provisions of this section shall be in effect only from July 1, 2003  
29 through June 30, 2005.

30  
31 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
33 PROVISIONS. The state-supported institution of higher education in this act  
34 may transfer appropriations between the various line items within each  
35 appropriation contained in this appropriation act. Such transfers shall be  
36 made only after the approval of the Department of Higher Education and the



1 Chief Fiscal Officer of the State, and the approval of the Legislative  
2 Council.

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

15 The provisions of this section shall be in effect only from July 1, 2003  
16 through June 30, 2005.

17  
18 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

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

33 The provisions of this section shall be in effect only from July 1, 2003  
34 through June 30, 2005.

35

36 SECTION 14. SPECIAL LANGUAGE. COMPLIANCE WITH OTHER LAWS. Disbursement

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

9  
10 SECTION 15. SPECIAL LANGUAGE. LEGISLATIVE INTENT. It is the intent of  
11 the General Assembly that any funds disbursed under the authority of the  
12 appropriations contained in this act shall be in compliance with the stated  
13 reasons for which this act was adopted, as evidenced by Initiated Act 1 of  
14 2000, the Agency Requests, Executive Recommendations and Legislative  
15 Recommendations contained in the budget manuals prepared by the Department of  
16 Finance and Administration, letters, or summarized oral testimony in the  
17 official minutes of the Arkansas Legislative Council or Joint Budget  
18 Committee which relate to its passage and adoption.

19  
20 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General  
21 Assembly, that the Constitution of the State of Arkansas prohibits the  
22 appropriation of funds for more than a two (2) year period; that the  
23 effectiveness of this Act on July 1, 2003 is essential to the operation of  
24 the agency for which the appropriations in this Act are provided, and that in  
25 the event of an extension of the Regular Session, the delay in the effective  
26 date of this Act beyond July 1, 2003 could work irreparable harm upon the  
27 proper administration and provision of essential governmental programs.  
28 Therefore, an emergency is hereby declared to exist and this Act being  
29 necessary for the immediate preservation of the public peace, health and  
30 safety shall be in full force and effect from and after July 1, 2003.

31  
32 */s/ Joint Budget Committee*  
33  
34  
35  
36