

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0135 University of Arkansas at Fayetteville

ACT#: 153

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST)

AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION

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, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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

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

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

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

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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.

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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.

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CRIMINAL JUSTICE INSTITUTE TRANSFER PROVISION. Immediately upon the effective date of this Act the Chief Fiscal Officer of the State, Treasurer of State and Auditor of State shall transfer on their books the sum of one hundred fifty thousand dollars (\$150,000) from the Special State Assets Forfeiture Fund to the University of Arkansas Fund for allocation to the Criminal Justice Institute for education and training to assist the criminal justice community in addressing the clandestine methamphetamine activities in the State.

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION

~~ARKANSAS ARCHEOLOGICAL SURVEY USE AND DISBURSING OFFICER. The funds appropriated under Section 3 and allocated in Item (5) of Section 4 of this Act are to be used for the personal services and maintenance and general operation of the Arkansas Archeological Survey and for no other purpose. The Vice-President for Finance and Administration of the University of Arkansas is hereby made the disbursing officer for the appropriation made by this Act.~~

~~The provisions of this section shall be in effect only from July 1, 2014 2015 through June 30, 2015-2016.~~

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SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST)

AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION

SPECIAL ALLOWANCES. For the purpose of providing necessary allowances for housing and other unusual expenses incurred by or on behalf of the athletic director, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the Athletic Department at the University of Arkansas, Fayetteville, the Board of Trustees may make special allowances available therefore in such amounts as the Board of Trustees may determine as justified, an equitable allowance in view of the unusual and exacting duties of said athletic directors, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the Athletic Department at the University of Arkansas, Fayetteville, and for the purpose of providing such allowances, the Board of Trustees is authorized to expend from the auxiliary income of the University of Arkansas, Fayetteville, which is derived from athletic event receipts, or from contributions from sources other than state funds, an amount not to exceed ten thousand dollars (\$10,000) each for such purposes during each fiscal year for the athletic directors, associate athletic directors, and head coaches, and an amount not to exceed one thousand dollars (\$1,000) each for the assistant athletic directors, assistant coaches, offensive coordinators, defensive coordinators, and head trainers. Any such allowances authorized in this section shall be in addition to the regular salaries of such individuals. Further, if the special allowance funds authorized herein are utilized the University of Arkansas, Fayetteville shall report annually to the Arkansas Legislative Joint Auditing Committee the exact disposition of those special allowance funds. In recognition of the

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extra work involved in the participation of intercollegiate athletic teams in post-season competition, and to promote exceptional achievement in the total sports program, the Chancellor of the University of Arkansas, Fayetteville, in accordance with policies issued by the Board of Trustees of the University of Arkansas, may approve additional compensation for the Athletic Department and Band personnel when any athletic team participates in post-season competition or achieves exceptional recognition, which shall be in addition to the regular salaries authorized by law, provided that the additional compensation shall be paid from contributions from sources other than public funds.

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ADDITIONAL PAYMENTS AUTHORIZED. The Board of Trustees of the University of Arkansas is hereby authorized to make additional payments to head and assistant coaches at the University of Arkansas, Fayetteville, from revenues generated by contracts with vendors of athletic apparel, shoes, multimedia rights, and other products in such amounts as may be established by the Board of Trustees for performance by the coaches of consulting and other obligations pursuant to contracts between the University and such vendors. Such additional payments to head and assistant coaches shall not be considered salary and shall not be deemed or construed to exceed the maximum salaries established for such coaches by the General Assembly. Nothing in this section shall be construed to reduce or eliminate the authority granted elsewhere in Arkansas statutes for the payment of allowances or bonuses to coaches at the University of Arkansas, Fayetteville.

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APPRENTICE PROGRAM WAGES. All apprentices in the University of Arkansas U.S. Department of Labor Approved Apprentice Program shall be appointed into the State of Arkansas Classified Pay Plan title of (C105) Apprentice Tradesman at the then Labor Market Entry Rate.

Using successive Arkansas Department of Labor Prevailing Wage Determination (ADLPWD) Building Rates for Washington County for the craft title matching that Apprentice's craft training, individual Apprentices shall be paid progressively increasing wages upon successful completion of successive years of training for their craft. Progressively increasing, as strongly encouraged for this type program by the U.S. Department of Labor, is defined as a percentage difference between the Apprentice's current salary and the next year's ADLPWD Washington County Building Rates Basic Hourly Rate for their chosen craft, but not less than the preceding year's wages with any authorized cost of living (COLA) applied.

Upon successful completion of the Apprentice Program, fulfillment of all related licensing requirements, and availability of an open Skilled Trades Worker position (if not already in a C115 Skilled Tradesman position), all Apprentice Program graduates shall be promoted to a C115 Skilled Tradesman position and earn the ADLPWD Washington County Building Rates Basic Hourly Rate for the classification of their chosen craft except that: "No Apprentice Program graduate shall earn wages less than C115 Skilled Tradesman Entry Level."

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AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION

SCHOOL FOR MATHEMATICS, SCIENCES, AND THE ARTS SUMMER SCHOOL EMPLOYEES. Employees of School for Mathematics, Sciences, and the Arts who, in addition to working during the regular school term also work during the summer months, shall be authorized as additional compensation an amount not to exceed 1/10 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees. Payment of additional compensation shall be limited to employees as follows:

SUMMER PROGRAM POSITIONS

Teacher

Residential Mentor

Counselor

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION

SCHOOL FOR MATHEMATICS, SCIENCES AND THE ARTS TEACHER GRANT RELATED FUNDING PROVISION. Teachers of the School for Mathematics, Sciences, and the Arts who, in addition to fulfilling annual teaching contract requirements also write grants, grant progress reports and write and publish papers may be authorized as additional annual compensation an amount up to 1/10 of their annual salary. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees. The additional compensation authorized by this section shall not be paid from state general revenues or Educational Excellence Trust Fund monies.

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EMPLOYEE DEVELOPMENT INCENTIVES. In order to increase the adult degree completion rate and to develop its own human capital, the University of Arkansas System is hereby authorized to offer one time lump-sum incentive bonuses or educational differentials of up to six percent (6%) of the employee's salary for degree attainment. A bonus or compensation differential may not be authorized if the education is included as a special requirement or minimum qualification established for the classification by the official class specification.

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CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST)

AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION

SCHOOL FOR MATHEMATICS, SCIENCES AND THE ARTS TENTH GRADE PILOT PROGRAM. Notwithstanding the provisions of ACA 6-42-302(a), the Arkansas School for Mathematics, Sciences, and the Arts is authorized to initiate a pilot program that allows for the admission of students entering the tenth grade who demonstrate clear preparation and maturity for the academic and social challenges of life and learning in a residential high school setting. The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.

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