

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

ACT 823 OF 1993
SENATE BILL 595

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE TITLE 6, CHAPTER 63,
SUBCHAPTER 3, THE HIGHER EDUCATION EXPENDITURE RESTRICTION
ACT; AND FOR OTHER PURPOSES."

Subtitle

"AN ACT TO AMEND THE HIGHER EDUCATION EXPENDITURE
RESTRICTION ACT."

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

SECTION 1. Arkansas Code 6-63-304 is hereby amended to read as follows:

"6-63-304. Payroll Deductions and Promotional Items. (a) The governing board for each institution of higher education may permit deductions from the payrolls of the institution's employees for contributions to the various institutional fundraising, foundations, and capital campaigns of the institutions and its entities when authorized by such employees. Provided further, the contributions shall be strictly voluntary and in no instance shall the institution coerce or intimidate their employees to make such contributions.

(b) The Chief Fiscal Officer of the State shall establish for each requesting postsecondary educational institution a special appropriation line item to be used in the acquisition of promotional items. When an institution wishes to transfer monies from its operating expenses appropriation to the promotional items line, the Board of Trustees shall approve the request and forward it to the Chief Fiscal Officer of the State for processing."

SECTION 2. Arkansas Code 6-63-305(b) is hereby amended to read as follows:

(b) The following maximum number of new additional positions is

1 established for the biennium for the following institutions of higher
2 education, at salary rates not to exceed the salary rate of comparable
3 positions established in the regular salaries section of the biennial
4 appropriations act for operations for each institution:

<u>Institution</u>	<u>Maximum Number of Additional Positions</u>
5 Arkansas State University	100
8 Arkansas State University - Beebe	50
9 Arkansas Tech University	40
10 ATU - Mining & Minerals Resources Research Inst.	15
11 Black River Technical College	20
12 Cossatot Technical College	20
13 East Arkansas Community College	20
14 Garland County Community College	20
15 Gateway Technical College	20
16 Henderson State University	40
17 Mid-South <i>Community</i> College	20
18 Mississippi County Community College	20
19 <i>Mountain Home Technical College</i>	20
20 <i>North Arkansas Community/Technical College</i>	40
21 North West Arkansas Community College	20
22 Ouachita Technical College	20
23 Ozarka Technical College	20
24 Petit Jean Technical College	20
25 Phillips County Community College	20
26 Pines Technical College	20
27 Pulaski Technical College	20
28 Red River Technical College	20
29 Rich Mountain Community College	20
30 South Arkansas Community College	40
31 Southern Arkansas University	40
32 Southern Arkansas University - Tech	30
33 University of Arkansas - Fayetteville	250
34 University of Arkansas - Exp. Stations	250
35 University of Arkansas - Archeological Survey	150

1 University of Arkansas - Little Rock	250
2 University of Arkansas - Medical Sciences	250
3 University of Arkansas - Monticello	50
4 University of Arkansas - Pine Bluff	50
5 University of Central Arkansas	50
6 Westark Community College	30"

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8 SECTION 3. SPECIAL ALLOWANCES. For the purpose of providing necessary
9 allowances for housing and other unusual expenses incurred by or on behalf of
10 the athletic directors, associate and assistant athletic directors, head
11 coaches and assistant coaches in the men's and women's Athletic Departments at
12 the University of Arkansas, Fayetteville, the Board of Trustees may make
13 special allowances available therefor in such amounts as the Board of Trustees
14 may determine as justified, an equitable allowance in view of the unusual and
15 exacting duties of said athletic directors, associate and assistant athletic
16 directors, head coaches and assistant coaches, and for the purpose of
17 providing such allowances, the Board of Trustees is authorized to expend from
18 the auxiliary income of the University of Arkansas, Fayetteville, which is
19 derived from athletic event receipts, or from contributions from sources other
20 than state funds, an amount not to exceed ten thousand dollars (\$10,000) each
21 for such purposes during each year of the 1993-95 biennium for the athletic
22 directors, associate athletic directors, and head coaches, and an amount not
23 to exceed one thousand dollars (\$1,000) each for the assistant athletic
24 directors and assistant coaches. Any such allowances shall be in addition to
25 the regular salary of such athletic directors, associate and assistant
26 athletic directors, head coaches and assistant coaches. Further, the
27 University of Arkansas, Fayetteville shall report annually to the Arkansas
28 Legislative Joint Auditing Committee the exact disposition of the special
29 allowance funds authorized herein.

30 In recognition of the extra work involved in the participation of
31 intercollegiate athletic teams in post-season competition, and to promote
32 exceptional achievement in the total sports program, the Chancellor of the
33 University of Arkansas, Fayetteville, in accordance with policies issued by
34 the Board of Trustees of the University of Arkansas, may approve additional
35 compensation of up to one month's salary for the Athletic Department and Band

1 personnel when any athletic team participates in post-season competition or
2 achieves exceptional recognition, which shall be in addition to the regular
3 salaries authorized by law, provided that the additional compensation shall be
4 paid from contributions from sources other than public funds.

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6 SECTION 4. SPECIAL ALLOWANCES. For the purpose of providing necessary
7 allowances for housing and other unusual expenses incurred by or in behalf of
8 the athletic director, assistant athletic director, head basketball coach, and
9 assistant coaches at the University of Arkansas at Little Rock, the Board of
10 Trustees may make special allowances available therefor in such amounts as the
11 Board of Trustees may determine as justified, an equitable allowance in view
12 of the unusual and exacting duties of said athletic director, assistant
13 athletic director, head basketball coach, and assistant coaches, and for the
14 purpose of providing such allowances, the Board of Trustees is authorized to
15 expend from the auxiliary income of the University of Arkansas at Little Rock,
16 which is derived from athletic event receipts, an amount not to exceed twenty
17 thousand dollars (\$20,000) in the aggregate for such purposes during each year
18 of the 1993-95 biennium for the athletic director and head basketball coach,
19 and ten thousand dollars (\$10,000) in the aggregate for such purposes during
20 the 1993-95 biennium for the assistant athletic director and assistant
21 coaches. Provided that any such allowances shall be in addition to the regular
22 salary of such athletic director, assistant athletic director, head basketball
23 coach and assistant coaches, as established herein provided that the amount of
24 such allowance shall not exceed ten thousand dollars (\$10,000) per annum for
25 any one salaried position. Further, the University of Arkansas at Little Rock
26 shall report annually to the Legislative Joint Auditing Committee the exact
27 disposition of the special allowance funds authorized herein.

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29 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
30 Assembly that any funds disbursed under the authority of the appropriations
31 contained in this Act shall be in compliance with the stated reasons for which
32 this Act was adopted, as evidenced by the Agency Requests, Executive
33 Recommendations and Legislative Recommendations contained in the budget
34 manuals prepared by the Department of Finance and Administration, letters, or
35 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 6. CODE. All provisions of this Act of a general and permanent
4 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
5 Code Revision Commission shall incorporate the same in the Code.

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7 SECTION 7. SEVERABILITY. If any provision of this Act or the
8 application thereof to any person or circumstance is held invalid, such
9 invalidity shall not affect other provisions or applications of the Act which
10 can be given effect without the invalid provision or application, and to this
11 end the provisions of this Act are declared to be severable.

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13 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
14 with this Act are hereby repealed.

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16 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
17 Seventy-Ninth General Assembly, that changes in various accounting and
18 expenditure provisions of the State are necessary in order to promote
19 efficiency; and that the provisions of this Act provide such changes.
20 Therefore, an emergency is hereby declared to exist and this Act being
21 necessary for the immediate preservation of the public peace, health and
22 safety shall be in full force and effect from and after July 1, 1993.

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/s/Senator Russ

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APPROVED: 4/1/93

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As Engrossed: 3/4/93 3/12/93 3/26/93

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