

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**HOUSE BILL 1608**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES,  
9 OPERATING EXPENSES AND GRANTS FOR THE DEPARTMENT OF HIGHER  
10 EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1993;  
11 AND FOR OTHER PURPOSES."

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

15 SECTION 1. REGULAR SALARIES. There is hereby established for the  
16 Department of Higher Education for the 1991-93 biennium, the following maximum  
17 number of regular employees whose salaries shall be governed by the provisions  
18 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201  
19 et seq.), or its successor, and all laws amendatory thereto. Provided,  
20 however, that any position to which a specific maximum annual salary is set  
21 out herein 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.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
<hr/>			<hr/>		
No.	Code	Title	Employees	1991-92	1992-93
31	(1) 9960	HIGHER ED DIRECTOR	1	\$ 80,229	\$ 84,240
32	(2) 9772	H.E. DEP. DIR./TECH EDUCATION	1	\$ 73,000	\$ 78,000
33	(3) 7243	HIGHER EDUCATION DEPUTY DIRECTOR	1	\$ 73,000	\$ 78,000
34	(4) 9773	HIGHER ED SENIOR ASST. DIR.	1	\$ 68,000	\$ 71,400
35	(5) 9774	HIGHER ED ASSOC DIR FOR FISCAL AFF	1	\$ 58,769	\$ 61,707

1	(6)	9922 DHE ASSOC DIR FOR ACADEMIC AFFAIRS	1	\$ 58,769	\$ 61,707
2	(7)	9965 HIGHER ED COORD OF ACADEMIC PROGRAM	1	\$ 44,873	\$ 47,116
3	(8)	9966 HIGHER ED STUDENT FIN AID MANAGER	1	\$ 44,873	\$ 47,116
4	(9)	9623 H E COORD OF INSTITUTIONAL FINANCE	1	\$ 44,873	\$ 47,116
5	(10)	9964 HIGHER EDUCATION DP COORDINATOR	1	\$ 44,873	\$ 47,116
6	(11)	D064 SR SYSTEMS PROGRAMMER	1		GRADE 24
7		A252 DHE FINANCIAL MANAGER	1		
8	(12)	R088 HIGHER ED FINANCIAL OFFICER	2		GRADE 22
9		R096 HIGHER ED ASST COORD STDNT FIN AID	3		
10		A032 AGENCY FISCAL MANAGER	1		
11	(13)	D036 SR PROGRAMMER/ANALYST	1		GRADE 21
12	(14)	R240 DHE DATA COLLECTION ANALYST	2		GRADE 20
13	(15)	R264 MANAGEMENT PROJECT ANALYST I	1		GRADE 18
14	(16)	K011 ADMIN SUPPORT SUPERVISOR	1		GRADE 15
15		R444 BUSINESS CONTROLLER I	1		
16	(17)	K153 SECRETARY II	6		GRADE 13
17	(18)	K097 RECEPTIONIST	<u>1</u>		GRADE 10
18		MAX NO. OF EMPLOYEES	31		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Higher Education for the 1991-93 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: seven (7) 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. APPROPRIATIONS - GENERAL OPERATIONS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for personal services, operating expenses and grants of the Department of Higher Education for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$ 964,585	\$ 1,012,399

1	(02)	EXTRA HELP		5,101	5,101
2	(03)	PERSONAL SERV MATCHING		212,044	223,820
3	(04)	MAINT. & GEN. OPERATION			
4	(A)	OPER. EXPENSES	\$ 289,538	\$ 289,538	
5	(B)	CONF. & TRAVEL	37,525	37,525	
6	(C)	PROF. FEES	4,000	4,000	
7	(D)	CAPITAL OUTLAY	393,447	90,853	
8	(E)	DATA PROCESSING	0	0	
9		TOTAL MAINT. & GEN. OPER.		724,510	421,916
10	(05)	GRANTS/DP SERV/SUPPLIES-STATE SCHOLARSHIP PROG.		7,649,511	7,966,419
11	(06)	FACULTY/ADMINISTRATOR DEVELOPMENT MATCHING		30,000	30,000
12	(07)	PROGRAM EVALUATION		49,602	49,602
13		TOTAL AMOUNT APPROPRIATED		<u>\$ 9,635,353</u>	<u>\$ 9,709,257</u>

14  
 15 SECTION 4. APPROPRIATIONS - CASH FUNDS. There is hereby appropriated,  
 16 to the Department of Higher Education, to be payable from cash funds as  
 17 defined by Arkansas Code 19-4-801 of the Department of Higher Education, for  
 18 operating expenses of the Department of Higher Education for the biennial  
 19 period ending June 30, 1993, the following:

21	<u>ITEM</u>		<u>FISCAL YEARS</u>	
22	NO.		1991-92	1992-93
23	(01)	MAINT. & GEN. OPERATION		
24	(A)	OPER. EXPENSES	\$ 12,782	\$ 12,782
25	(B)	CONF. & TRAVEL	6,215	6,215
26	(C)	PROF. FEES	0	0
27	(D)	CAPITAL OUTLAY	200,000	200,000
28	(E)	DATA PROCESSING	0	0
29		TOTAL MAINT. & GEN. OPER.		<u>18,997</u>
30		TOTAL AMOUNT APPROPRIATED		<u>\$ 218,997</u>

31  
 32 SECTION 5. APPROPRIATIONS - SCHOLARSHIPS TO DEPENDENTS. There is hereby  
 33 appropriated, to the Department of Higher Education, to be payable from the  
 34 Department of Higher Education Fund Account, for provision of the scholarships  
 35 to state-supported institutions of higher education and vocational-technical

1 schools for the dependents of certain Arkansas citizens killed or missing in  
 2 action, as provided by Arkansas Code 6-82-601 by the Department of Higher  
 3 Education for the biennial period ending June 30, 1993, the following:

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5 ITEM	FISCAL YEARS	
6 NO.	1991-92	1992-93
7 (01) MIA/KIA TUITION WAIVERS	<u>\$ 48,000</u>	<u>\$ 48,000</u>

8  
 9 SECTION 6. APPROPRIATIONS - SREB INSTITUTE. There is hereby  
 10 appropriated, to the Department of Higher Education, to be payable from the  
 11 Department of Higher Education Fund Account, for making the contribution of  
 12 the State of Arkansas to the SREB Institute for Higher Educational Opportunity  
 13 by the Department of Higher Education for the biennial period ending June 30,  
 14 1993, the following:

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16 ITEM	FISCAL YEARS	
17 NO.	1991-92	1992-93
18 (01) STATE'S CONTRIBUTION - SREB INSTITUTE	<u>\$ 135,000</u>	<u>\$ 135,000</u>

19  
 20 SECTION 7. APPROPRIATIONS - STATE SCHOLARSHIP - FEDERAL. There is  
 21 hereby appropriated, to the Department of Higher Education, to be payable from  
 22 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 23 grants-in-aid of the State Scholarship - Federal Program of the Department of  
 24 Higher Education for the biennial period ending June 30, 1993, the following:

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26 ITEM	FISCAL YEARS	
27 NO.	1991-92	1992-93
28 (01) GRANTS-IN-AID	<u>\$ 485,278</u>	<u>\$ 485,278</u>

29  
 30 SECTION 8. APPROPRIATIONS - TEACHER RETRAINING GRANTS. There is hereby  
 31 appropriated, to the Department of Higher Education, to be payable from the  
 32 Department of Higher Education Fund Account, for teacher retraining grants, as  
 33 may be provided by law, by the Department of Higher Education for the biennial  
 34 period ending June 30, 1993, the following:

35

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) TEACHER RETRAINING GRANTS	<u>\$ 179,544</u>	<u>\$ 179,544</u>

SECTION 9. APPROPRIATIONS - HIGHER EDUCATION PROMOTIONAL GRANTS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for the State Board of Higher Education to utilize in the promotion of statewide higher education ~~priorities of the State Board of Higher Education for the biennial period~~ ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) HIGHER EDUCATION PROMOTIONAL GRANTS	<u>\$ 3,160,300</u>	<u>\$ 3,160,300</u>

SECTION 10. APPROPRIATIONS - MATH/SCIENCE TEACHER LOAN AWARDS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for math/science teacher loan ~~awards, as may be provided by law, by the Department of Higher Education for~~ the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) MATH/SCIENCE TEACHER LOAN AWARDS	<u>\$ 81,717</u>	<u>\$ 81,717</u>

SECTION 11. APPROPRIATIONS - GOVERNOR'S SCHOLARS PROGRAM AWARDS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for Governor's Scholars ~~Program Awards by the Department of Higher Education for the biennial period~~ ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) GOVERNOR'S SCHOLARS PROGRAM AWARDS	<u>\$ 1,065,000</u>	<u>\$ 1,065,000</u>

SECTION 12. APPROPRIATIONS - SCHOLARSHIPS - SURVIVING CHILDREN. There is hereby appropriated, to the Department of Higher Education, to be payable from the Miscellaneous Revolving Fund, for payment of college scholarships to ~~surviving children of the law enforcement officers and firemen killed in the~~ official line of duty, as prescribed by law, by the Department of Higher Education for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) SCHOLARSHIPS	<u>\$ 24,000</u>	<u>\$ 24,000</u>

SECTION 13. APPROPRIATIONS - CONGRESSIONAL TEACHER SCHOLARSHIP PROGRAM. There is hereby appropriated, to the Department of Higher Education, to be ~~payable from the federal funds as designated by the Chief Fiscal Officer of~~ the State, for scholarships of the Department of Higher Education for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) SCHOLARSHIPS	<u>\$ 225,000</u>	<u>\$ 225,000</u>

SECTION 14. APPROPRIATIONS - REPORTS OF COLLEGE ACHIEVEMENT OF HIGH SCHOOL GRADUATES. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for expenses incurred by the Department of Higher Education in collecting, analyzing, and providing reports of college achievement of high school ~~graduates, including contracts with the American College Testing Service or~~ other organizations for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) EXPENSES FOR REPORTS OF COLLEGE ACHIEVEMENT OF HIGH SCHOOL GRADUATES	<u>\$ 10,000</u>	<u>\$ 10,000</u>

SECTION 15. APPROPRIATIONS - DWIGHT D. EISENHOWER GRANTS. There is hereby appropriated, to the Department of Higher Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses and grants of the Dwight D. Eisenhower Program of the Department of Higher Education for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES \$	37,500	\$ 45,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	\$ 37,500	\$ 45,000
(02) GRANTS	<u>712,500</u>	<u>855,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 750,000</u>	<u>\$ 900,000</u>

~~SECTION 16. APPROPRIATIONS - MINORITY STUDENT SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for minority student scholarships of the Department of Higher Education for the biennial period ending June 30, 1993, the following:~~

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) MINORITY STUDENT SCHOLARSHIPS	<u>\$ 150,000</u>	<u>\$ 300,000</u>

SECTION 17. APPROPRIATIONS - FRESHMAN/SOPHOMORE MINORITY SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for freshman/sophomore minority scholarships of the Department of Higher Education for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) FRESHMAN/SOPHOMORE MINORITY SCHOLARSHIPS	<u>\$ 150,000</u>	<u>\$ 300,000</u>

~~SECTION 18. APPROPRIATIONS - INTERNATIONAL STUDIES. There is hereby~~  
 appropriated, to the Department of Higher Education, to be payable from the  
 Department of Higher Education Grants Fund Account, for the payment of  
 scholarships, stipends, travel and other expenses of Arkansas students in  
 international studies or foreign languages by the Department of Higher  
 Education for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) ASSISTANCE TO STUDENTS	<u>\$ 100,000</u>	<u>\$ 100,000</u>

SECTION 19. REPORTING REQUIREMENTS. The reports of college achievement  
 of high school graduates, as appropriated in Section 14 herein, shall be  
 provided to high school and school district administrators and may also be  
 provided to the State Board of Higher Education, the Governor, the Joint  
 Interim Committee on Education, the Board of Education and the Department of  
 Education, as designated by the Department of Higher Education.

SECTION 20. TRANSFER PROVISION. Upon certification by the Director of  
 the Department of Higher Education that transfers are needed to make maximum  
 utilization of funds and appropriations provided for financial aid programs,  
 and with the approval of the Chief Fiscal Officer of the State and a review by  
 the Arkansas Legislative Council, funds and appropriations may be transferred  
 between financial aid programs.

~~SECTION 21. TRANSFER PROVISION. Upon certification by the Chairman of~~  
 the State Board of Higher Education to the Chief Fiscal Officer of the State,  
 funds and appropriation provided in Section 9 of this Act may be transferred  
 to Institutions of Higher Education as deemed appropriate by the State Board  
 of Higher Education. Upon filing of any required plan by an Institution of  
 Higher Education to the State Board of Higher Education, such plan shall be



1 filed with the Arkansas Legislative Council for its review.

2

3       SECTION 22. In order to provide timely payments under financial aid  
4 appropriations made in this Act, the Chief Fiscal Officer of the State is  
5 authorized to provide loans from the Budget Stabilization Trust Fund to make  
6 available all funds attributable to the financial aid programs under the then  
7 current official revenue estimates. In the event of an unanticipated state  
8 revenue shortfall, any such loans remaining at the end of a fiscal year shall  
9 be repaid from revenues distributed in the first two months of the next fiscal  
10 year. Funds for appropriations made in this Act for purposes other than  
11 financial aid shall not be affected by the application of this provision.

12

13       SECTION 23. All first-time entering freshmen at all state-supported  
14 colleges and universities in Arkansas who are admitted to enroll in all  
15 associate or bachelor's degree programs shall be tested by the admitting  
16 institution for purposes of placement in either college-level credit courses  
17 in English and mathematics or remedial courses in English composition,  
18 reading, and mathematics. Remedial courses shall not provide credit toward a  
19 degree. The State Board of Higher Education shall determine the tests to be  
20 used, the testing procedures and exemptions, and minimum scores below which  
21 students at all institutions must take remedial courses. The State Board of  
22 Higher Education shall base these decisions on consultation with  
23 representatives of the institutions of higher education, analysis of the  
24 placement procedures presently used by institutions in Arkansas, statewide  
25 placement testing programs in other states, and pilot projects involving  
26 testing of entering freshmen at selected institutions in Arkansas.

27

28       SECTION 24. Of the maximum annual salary rates for unclassified  
29 positions established in Section 1 of this Act, the line item maximum salaries  
30 enumerated for the HIGHER ED DIRECTOR, HIGHER EDUCATION DEPUTY DIRECTOR, the  
31 three (3) HIGHER ED ASSOCIATE DIRECTORS, HIGHER EDUCATION DP COORDINATOR,  
32 HIGHER EDUCATION COORDINATOR OF ACADEMIC PROGRAM, and HIGHER EDUCATION STUDENT  
33 FINANCIAL AID MANAGER are recommended in an effort to establish compensational  
34 parity between the Department of Higher Education and comparable positions at  
35 public Institutions of Higher Education in Arkansas Code 6-61-203(b). It is

1 the intent of this legislation that no incumbent in the positions indicated  
2 above shall be entitled to receive salary compensation in each year of the  
3 biennium in excess of ten percent (10%) above their salary levels existent as  
4 of June 30th of the previous year.

5

6 SECTION 25. The appropriation provided in Section 18 herein shall be  
7 used to match an equal amount of funds as certified as available by the  
8 various state-supported institutions of higher education from private sources  
9 for supporting students in international studies or foreign languages. Upon  
10 receiving certification from an institution of the amount set aside for such  
11 purpose, the Department of Higher Education shall, under rules and regulations  
12 promulgated by the Department, disburse the funds herein appropriated in an  
13 equal amount to the institution. The institution shall utilize the interest  
14 earnings of the funds received under this Act and the interest earnings from  
15 the private sources so certified to assist students whose field of  
16 concentration is that of international studies or of foreign languages. Such  
17 assistance may be in the form of tuition, books, stipends, or travel expenses,  
18 as determined by the Department of Higher Education.

19

20 SECTION 26. CARRY FORWARD. The unexpended balance of the appropriation  
21 provided in Section 3 of this Act, General Operations, for capital outlay, as  
22 of June 30, 1992 shall be carried forward and made available for the purpose  
23 of completing the acquisition of a new agency computer system, through the  
24 fiscal year ending June 30, 1993.

25

26 SECTION 27. APPROPRIATION AND FUND TRANSFERS. The following amounts of  
27 appropriation and funding may be transferred by the Department of Higher  
28 Education, from the appropriation made in Item (05) of Section 3 of this Act,  
29 to those Institutions of Higher Education and programs as enumerated below:

30

	Fiscal Years	
<u>Institution/Program</u>	<u>1991-92</u>	<u>1992-93</u>
31 (1) Ark. State Univ.-Beebe/ 32 Nursing Program Expansion	\$ 223,943	\$ 228,424
33 (2) Southern Ark. Univ.- Southwest 34 Technical Institute/ 35		

1	Center for Excellence in		
2	Manufacturing Competitiveness	192,815	189,653
3	(3) UA-Medical Sciences/Rural Hospital		
4	Affiliation & Family Medicine	406,000	418,900
5	(4) UA-Monticello/Nursing Program Expansion	143,188	150,815
6	(5) Southern Ark. University/		
7	Nursing Program Expansion	191,670	180,263
8	<i>The following programs shall be paid out of fund balances after scholarships</i>		
9	<i>have been funded:</i>		
10	(6) Phillips County Comm. Coll./		
11	Nursing Program Expansion	161,625	181,289
12	(7) UA-Little Rock/		
13	Nursing Program Expansion	205,370	235,310
14	(8) Westark Comm. Coll./		
15	Nursing Program Expansion	198,600	210,150
16			
17	(9) UA-Fayetteville/		
18	Nursing Program Expansion	750,000	750,000
19	(10) Univ. of Central Arkansas/		
20	Nurse Educator Preparation	126,300	132,615
21	(11) Ark. Tech University/		
22	Improving & Expanding Nursing Prog.	105,000	115,000
23	(12) UA-Little Rock/Labor Education Grants	100,000	100,000
24	(13) UA-Medical Sciences/Family Practice		
25	Residency Program - Texarkana, AR	371,000	600,000
26			

27       SECTION 28. In order to promote efficiency in the utilization of  
 28 educational resources and to reduce duplication of programs within service  
 29 areas of Arkansas' institutions of higher education, Arkansas Code §6-64-106,  
 30 Annotated, is hereby repealed. An expansion of nurse education programs in  
 31 northwest Arkansas, through cooperative agreements with public and private  
 32 institutions, has provided the University of Arkansas, Fayetteville, with the  
 33 opportunity for developing and implementing a new Bachelor of Science in  
 34 Nursing degree during the 1991-93 biennium. The existing associate degree  
 35 program in nursing will be not discontinued until such time as another

1 associate degree program has been established in the region by a public  
 2 institution.

3

4 SECTION 29. APPROPRIATIONS - ACADEMIC ALLIANCES. There is hereby  
 5 appropriated, to the Department of Higher Education, to be payable from the  
 6 Department of Higher Education Fund Account, for operating expenses and grants  
 7 of the Department of Higher Education for the biennial period ending June 30,  
 8 1993, the following:

9 ITEM	FISCAL YEARS	
10 NO.	1991-92	1992-93
11 (01) MAINTENANCE & GENERAL OPERATIONS		
12 (A) OPER. EXPENSES	\$ 75,000	\$ 75,000
13 (B) CONF. & TRAVEL	0	0
14 (C) PROF. FEES	0	0
15 (D) CAPITAL OUTLAY	0	0
16 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
17 TOTAL MAINT. & GEN. OPERATIONS	75,000	75,000
18 (02) GRANTS	<u>72,000</u>	<u>72,000</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 147,000</u>	<u>\$147,000</u>

20

21 SECTION 30. APPROPRIATIONS. There is hereby appropriated, to the  
 22 Department of Higher Education, to be payable from the Department of Higher  
 23 Education Grants Fund Account, for expenses incurred in the establishing and  
 24 maintaining of the Harold Ohlendorf Center for Economic Development of  
 25 Mississippi County Community College to be located at Osceola, AR, the sum of  
 26 \$250,000 each fiscal year of the biennial period ending June 30, 1993.

27

28 SECTION 31. APPROPRIATIONS. There is hereby appropriated, to the  
 29 Department of Higher Education, to be payable from the Department of Higher  
 30 Education Fund Account, for personal services, operating expenses and grants  
 31 for technical education implementation and restructuring in the Department of  
 32 Higher Education for the biennial period ending June 30, 1993, the following:

33 ITEM	FISCAL YEARS	
34 NO.	1991-92	1992-93
35 (01) REGULAR SALARIES	\$ 695,000	\$ 789,000

1	(02)	EXTRA HELP		45,000	45,000
2	(03)	PERSONAL SERVICES MATCHING		155,400	175,140
3	(04)	MAINT. & GEN. OPERATION			
4	(A)	OPER. EXPENSES	\$353,678	\$303,678	
5	(B)	CONF. & TRAVEL	37,525	37,525	
6	(C)	PROF. FEES	46,000	21,000	
7	(D)	CAPITAL OUTLAY	440,000	75,000	
8	(E)	DATA PROCESSING	<u>25,000</u>	<u>25,000</u>	
9		TOTAL MAINT. & GEN. OPERATION		902,203	462,203
10	(05)	PROGRAM EVALUATION/ACCREDITATION		<u>200,000</u>	<u>150,000</u>
11		TOTAL AMOUNT APPROPRIATED		<u>\$1,997,603</u>	<u>\$1,621,343</u>

12

13       SECTION 32. POOL POSITIONS. In order to provide the personnel  
14 resources necessary to implement the technical college legislation enacted by  
15 the 78th General Assembly, the Department of Higher Education is hereby  
16 authorized twenty (20) "Pool Positions" for the 1991-93 biennium. Ten (10) of  
17 the positions shall be line item maximum positions and ten (10) of the  
18 positions shall be classified positions not to exceed Grade 24. The positions  
19 authorized as "Pool Positions" may be activated upon approval by the Director  
20 of the Department of Finance and Administration after review by the Office of  
21 Personnel Management and the Arkansas Legislative Council. A pool position  
22 will be assigned a grade and/or salary level not to exceed the grade and/or  
23 salary level of comparable positions as defined by the Uniform Classification  
24 and Compensation Act (Arkansas Code §§21-5-201 et seq.) or its successor, and  
25 the regular salaries section of this Act. On June 30, 1997, after the initial  
26 transition period and accreditation has been achieved for the various  
27 technical colleges, ten (10) of the positions authorized under this section  
28 will be deleted from the Department's appropriation.

29

30       SECTION 33. The unexpended balances of the appropriations and funding  
31 authorized in Section 31 of this Act as of June 30, 1992, shall be carried  
32 forward and made available for the purpose of continuing the technical  
33 education implementation/restructuring through the fiscal year ending June 30,  
34 1993.

35

SECTION 34. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Grants Fund Account, for Associate Degree Nursing Programs and for the transfer of such appropriation and funds to the various technical colleges as determined by the State Board of Higher Education, the sum of \$1,100,000 each fiscal year of the biennial period ending June 30, 1993.

SECTION 35. On July 1 each fiscal year of the 1991-93 biennium, the Department of Higher Education shall transfer appropriation, with no corresponding amount of funds, in the amount of \$38,678 from Item (04) (A) of Section 3 of this Act to Black River Technical College in order to restore the reduction in spending authority.

SECTION 36. APPROPRIATIONS. There is hereby appropriated to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for the payment of honorariums as may be authorized by "The Minority Teacher Recruitment and Training Program" for the biennial period ending June 30, 1993, the following:

ITEM NO.	FISCAL YEARS	
	1991-92	1992-93
(01) PAYMENT OF HONORARIUMS	<u>\$ 25,000</u>	<u>\$ 50,000</u>

SECTION 37. The Department of Higher Education is hereby authorized to utilize the appropriations and funds authorized by this Act for minority scholarships for the payment of "paid internships" as may be authorized by "The Minority Teacher Recruitment and Training Program".

SECTION 38. APPROPRIATIONS - SECOND EFFORT SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for second effort scholarships of the Department of Higher Education for the biennial period ending June 30, 1993, the following:

ITEM NO.	FISCAL YEARS	
	1991-92	1992-93
(01) SCHOLARSHIPS	<u>\$ 50,000</u>	<u>\$ 50,000</u>

1

2 SECTION 39. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
3 authorized by this Act shall be limited to the appropriation for such agency  
4 and funds made available by law for the support of such appropriations; and  
5 the restrictions of the State Purchasing Law, the General Accounting and  
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
7 Procedures and Restrictions Act, or their successors, and other fiscal control  
8 laws of this State, where applicable, and regulations promulgated by the  
9 Department of Finance and Administration, as authorized by law, shall be  
10 strictly complied with in disbursement of said funds.

11

12 SECTION 40. LEGISLATIVE INTENT. It is the intent of the General  
13 Assembly that any funds disbursed under the authority of the appropriations  
14 contained in this Act shall be in compliance with the stated reasons for which  
15 this Act was adopted, as evidenced by the Agency Requests, Executive  
16 Recommendations and Legislative Recommendations contained in the budget  
17 manuals prepared by the Department of Finance and Administration, letters, or  
18 summarized oral testimony in the official minutes of the Arkansas Legislative  
19 Council or Joint Budget Committee which relate to its passage and adoption.

20

21 SECTION 41. CODE. All provisions of this Act of a general and  
22 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
23 the Arkansas Code Revision Commission shall incorporate the same in the Code.

24

25 SECTION 42. SEVERABILITY. If any provision of this Act or the  
26 application thereof to any person or circumstance is held invalid, such  
27 invalidity shall not affect other provisions or applications of the Act which  
28 can be given effect without the invalid provision or application, and to this  
29 end the provisions of this Act are declared to be severable.

30

31 SECTION 43. GENERAL REPEALER. All laws and parts of laws in conflict  
32 with this Act are hereby repealed.

33

34 SECTION 44. HEALTH PREMIUMS. The Department of Higher Education shall  
35 not, during the 1992-93 fiscal year, spend more for health insurance per

1 employee than the amount being contributed to the State Employees Health  
2 Insurance Program.

3

4       SECTION 45. EMERGENCY CLAUSE. It is hereby found and determined by the  
5 Seventy-Eighth General Assembly, that the Constitution of the State of  
6 Arkansas prohibits the appropriation of funds for more than a two (2) year  
7 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
8 operation of the agency for which the appropriations in this Act are provided,  
9 and that in the event of an extension of the Regular Session, the delay in the  
10 effective date of this Act beyond July 1, 1991 could work irreparable harm  
11 upon the proper administration and provision of essential governmental  
12 programs. Therefore, an emergency is hereby declared to exist and this Act  
13 being necessary for the immediate preservation of the public peace, health and  
14 safety shall be in full force and effect from and after July 1, 1991.

15

16

*/s/John E. Miller*