

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

# A Bill

HOUSE BILL 2172

5 By: Representatives C. Johnson, Bradford  
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## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
10 OF HIGHER EDUCATION FOR PROVIDING ADDITIONAL  
11 FUNDING AND APPROPRIATION TO THE FOUR YEAR  
12 COLLEGES AND NON-FORMULA INSTITUTIONS FOR THE  
13 BIENNIAL PERIOD ENDING JUNE 30, 2005; TO CREATE  
14 THE HOPE FOR ARKANSAS EDUCATION FUND; AND FOR  
15 OTHER PURPOSES.  
16  
17

## Subtitle

18 AN ACT FOR THE DEPARTMENT OF HIGHER  
19 EDUCATION - HOPE FOR ARKANSAS EDUCATION  
20 FUND APPROPRIATION FOR THE 2003-2005  
21 BIENNIUM.  
22  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
26

27 SECTION 1. APPROPRIATION - FOUR YEAR AND NON-FORMULA INSTITUTIONS. There  
28 is hereby appropriated, to the Department of Higher Education, to be payable  
29 from the Hope For Arkansas Education Fund, for providing additional funding  
30 and appropriation for transfer to the fund from which each of the various  
31 four year and non-formula institutions draw its general revenue support, for  
32 equity for institutions without peers in Arkansas and equity among the four  
33 year colleges that fall vastly short of SREB averages for the biennial period  
34 ending June 30, 2005, the following:  
35

36 ITEM

FISCAL YEARS



NO.	2003-2004	2004-2005
(01)	APPROPRIATION & FUND TRANSFERS TO	
	VARIOUS FOUR YEAR AND NON - FORMULA	
	INSTITUTIONS	
	\$ 75,000,000	\$ 77,025,000

SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOPE FOR ARKANSAS EDUCATION FUND ALLOCATION. The Department of Higher Education shall transfer the following amounts of appropriation and funds as contained in SECTION 1 of this Act or so much as is available to the fund from which each of the various institutions draws its general revenue support, based upon and in accordance with the computations that will restore FY2003 funding cuts and to provide equity as recommended by the Arkansas Higher Education Coordinating Board as revised by the State Department of Higher Education in December of 2002 to include the latest FTE count:

	ALLOCATION	
	FY2003-04	FY2004-05
FOUR YEAR AND NON-FORMULA INSTITUTIONS		
ARKANSAS STATE UNIVERSITY - JONESBORO	4,962,462	5,096,449
ARKANSAS TECH UNIVERSITY	8,382,699	8,609,032
HENDERSON STATE UNIVERSITY	1,776,740	1,824,712
SOUTHERN ARKANSAS UNIVERSITY - MAGNOLIA	2,273,612	2,334,999
UNIVERSITY OF ARKANSAS - FAYETTEVILLE	14,275,536	14,660,975
UNIVERSITY OF ARKANSAS - FORT SMITH	2,603,610	2,673,907
UNIVERSITY OF ARKANSAS - LITTLE ROCK	11,233,332	11,536,632
UNIVERSITY OF ARKANSAS - MONTICELLO	2,115,134	2,172,243
UNIVERSITY OF ARKANSAS - PINE BLUFF	2,576,125	2,645,681
UNIVERSITY OF CENTRAL ARKANSAS	3,974,504	4,081,815
UNIVERSITY OF ARKANSAS - SYSTEM	604,659	620,985
UNIVERSITY OF ARKANSAS - AGRICULTURE DIVISION	7,409,924	7,609,992
UNIVERSITY OF ARKANSAS - ARCHEOLOGICAL SURVEY	286,363	294,095
UNIVERSITY OF ARKANSAS - CRIMINAL JUSTICE INST.	636,017	653,189
UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES	11,726,855	12,043,480
SAU TECH - ENV. CONTROL CENTER	29,350	30,142
SAU TECH - FIRE TRAINING ACADEMY	133,078	136,671
TOTAL AMOUNT ALLOCATED	\$75,000,000	\$77,025,000

1 SECTION 3. SPECIAL LANGUAGE. HOPE FOR ARKANSAS EDUCATION FUND. Arkansas  
 2 Code Title 19, Chapter 5, Subchapter 3 is amended by adding the following new  
 3 subsection:

4 (aa) (1) There is established on the books of the Treasurer of State, the  
 5 Auditor of State and the Chief Fiscal Officer of the State a fund to be known  
 6 as the Hope For Arkansas Education Fund, there to be used for the  
 7 distribution of funds to the various four year and non-formula institutions  
 8 by the Department of Higher Education as may be authorized by law.

9 (2) The fund shall consist of:

10 (A) Such general revenues as may be provided by law: and

11 (B) Any other funds made available by the General Assembly.

12  
 13 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
 15 DISTRIBUTION. The distribution authorized in this Act shall be based on  
 16 restoration of funds lost in 2003 and enhancement funds to bring these  
 17 institutions into the 21st century with adequate new funding to provide Hope  
 18 for Arkansas' future.

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

21  
 22 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 23 by this act shall be limited to the appropriation for such agency and funds  
 24 made available by law for the support of such appropriations; and the  
 25 restrictions of the State Purchasing Law, the General Accounting and  
 26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 27 Procedures and Restrictions Act, or their successors, and other fiscal  
 28 control laws of this State, where applicable, and regulations promulgated by  
 29 the Department of Finance and Administration, as authorized by law, shall be  
 30 strictly complied with in disbursement of said funds.

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 32 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 33 that any funds disbursed under the authority of the appropriations contained  
 34 in this act shall be in compliance with the stated reasons for which this act  
 35 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 36 and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral  
2 testimony in the official minutes of the Arkansas Legislative Council or  
3 Joint Budget Committee which relate to its passage and adoption.

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5 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly, that the Constitution of the State of Arkansas prohibits the  
7 appropriation of funds for more than a two (2) year period; that the  
8 effectiveness of this Act on July 1, 2003 is essential to the operation of  
9 the agency for which the appropriations in this Act are provided, and that in  
10 the event of an extension of the Regular Session, the delay in the effective  
11 date of this Act beyond July 1, 2003 could work irreparable harm upon the  
12 proper administration and provision of essential governmental programs.  
13 Therefore, an emergency is hereby declared to exist and this Act being  
14 necessary for the immediate preservation of the public peace, health and  
15 safety shall be in full force and effect from and after July 1, 2003.