

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 264

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HIGHER  
10 EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2018;  
11 AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE DEPARTMENT OF HIGHER  
15 EDUCATION APPROPRIATION FOR THE 2017-2018  
16 FISCAL YEAR.  
17  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby  
23 established for the Department of Higher Education for the 2017-2018 fiscal  
24 year, the following maximum number of regular employees.  
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
30	(1) U024U	DHE DIRECTOR	1	\$205,357
31	(2) U089U	DHE DEPUTY DIRECTOR	1	\$147,758
32	(3) N002N	DHE SENIOR ASSOC DIRECTOR	3	GRADE N913
33	(4) N055N	DHE ASSOCIATE DIRECTOR	1	GRADE N908
34	(5) N054N	DHE CAREER PATHWAYS DIRECTOR	1	GRADE N908
35	(6) D022N	IT SENIOR PROJECT MANAGER	1	GRADE N904
36	(7) A010C	AGENCY CONTROLLER II	1	GRADE C128



1	(8)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
2	(9)	G019C	GENERAL COUNSEL	1	GRADE C127
3	(10)	D016C	SENIOR TECHNOLOGY ANALYST	1	GRADE C126
4	(11)	A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE C125
5	(12)	G058C	DHE FEDERAL PROGRAM MANAGER	2	GRADE C125
6	(13)	G071C	DHE PROGRAM COORDINATOR	6	GRADE C124
7	(14)	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	2	GRADE C124
8	(15)	P005C	DHE COMMUNICATIONS COORDINATOR	1	GRADE C123
9	(16)	A038C	FISCAL SUPPORT MANAGER	1	GRADE C123
10	(17)	G102C	DHE PROGRAM SPECIALIST	16	GRADE C122
11	(18)	R014C	PERSONNEL MANAGER	<u>1</u>	GRADE C121
12			MAX. NO. OF EMPLOYEES	42	

13

14 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby  
 15 authorized, for the Department of Higher Education for the 2017-2018 fiscal  
 16 year, the following maximum number of part-time or temporary employees, to be  
 17 known as "Extra Help", payable from funds appropriated herein for such  
 18 purposes: fifteen (15) temporary or part-time employees, when needed, at  
 19 rates of pay not to exceed those provided in the Uniform Classification and  
 20 Compensation Act, or its successor, or this act for the appropriate  
 21 classification.

22

23 SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby  
 24 appropriated, to the Department of Higher Education, to be payable from the  
 25 Department of Higher Education Fund Account, for personal services and  
 26 operating expenses of the Department of Higher Education for the fiscal year  
 27 ending June 30, 2018, the following:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2017-2018</u>
31	(01) REGULAR SALARIES	\$2,094,840
32	(02) EXTRA HELP	3,000
33	(03) PERSONAL SERVICES MATCHING	643,871
34	(04) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	912,755
36	(B) CONF. & TRAVEL	25,000

1	(C) PROF. FEES	100,000
2	(D) CAP. OUTLAY	35,000
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,814,466</u></u>

5

6 SECTION 4. APPROPRIATION - STUDENT ASSISTANCE GRANTS AND VARIOUS

7 SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher

8 Education, to be payable from the Higher Education Grants Fund Account, for

9 providing student assistance grants and various scholarships as provided by

10 law of the Department of Higher Education for the fiscal year ending June 30,

11 2018, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2017-2018</u>
15	(01) HIGHER EDUCATION OPPORTUNITIES GRANT	\$6,000,000
16	(02) SREB MINORITY DOCTORAL SCHOLARS	175,000
17	(03) WASHINGTON CENTER SCHOLARSHIPS	100,000
18	(04) TUITION ADJUSTMENT	350,000
19	(05) AR ACADEMIC CHALLENGE SCHOLARSHIPS	25,000,000
20	(06) ARKANSAS GOVERNOR'S SCHOLARS	15,200,000
21	(07) STUDENT UNDERGRADUATE RESEARCH	
22	FELLOWSHIP PROGRAM (SURF)	150,000
23	(08) NATIONAL GUARD TUITION ASSISTANCE	
24	PROGRAM	1,400,000
25	(09) SINGLE PARENT SCHOLARSHIP PROGRAM	175,000
26	(10) STATE TEACHER EDUCATION PROGRAM	2,000,000
27	(11) TEACHER OPPORTUNITY PROGRAM	1,500,000
28	(12) WORKFORCE IMPROVEMENT GRANTS	3,000,000
29	(13) AR GEOGRAPHICAL CRITICAL NEEDS	
30	MINORITY TEACHER SCHOLARSHIPS	150,000
31	(14) DEPENDENTS OF LAW ENFORCEMENT	
32	OFFICERS, ETC. SCHOLARSHIPS	400,000
33	(15) DEPENDENTS OF POWS, MIAS,	
34	KIAS-TUITION WAIVER	
35	SCHOLARSHIPS	<u>450,000</u>
36	TOTAL AMOUNT APPROPRIATED	<u><u>\$56,050,000</u></u>

1 SECTION 5. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS.

2 There is hereby appropriated, to the Department of Higher Education, to be  
 3 payable from the federal funds as designated by the Chief Fiscal Officer of  
 4 the State, for personal services and operating expenses of the Department of  
 5 Higher Education - Technical Education - Federal Programs for the fiscal year  
 6 ending June 30, 2018, the following:

7

8 ITEM	FISCAL YEAR
9 <u>NO.</u>	<u>2017-2018</u>
10 (01) REGULAR SALARIES	\$141,709
11 (02) PERSONAL SERVICES MATCHING	42,291
12 (03) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	77,251
14 (B) CONF. & TRAVEL	40,700
15 (C) PROF. FEES	85,000
16 (D) CAP. OUTLAY	0
17 (E) DATA PROC.	<u>0</u>
18 TOTAL AMOUNT APPROPRIATED	<u><u>\$386,951</u></u>

19

20 SECTION 6. APPROPRIATION - IMPROVING TEACHER QUALITY. There is hereby  
 21 appropriated, to the Department of Higher Education, to be payable from the  
 22 federal funds as designated by the Chief Fiscal Officer of the State, for  
 23 operating expenses and grants-in-aid of the Department of Higher Education -  
 24 Improving Teacher Quality Program for the fiscal year ending June 30, 2018,  
 25 the following:

26

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2017-2018</u>
29 (01) MAINT. & GEN. OPERATION	
30 (A) OPER. EXPENSE	\$4,500
31 (B) CONF. & TRAVEL	1,500
32 (C) PROF. FEES	0
33 (D) CAP. OUTLAY	0
34 (E) DATA PROC.	0
35 (02) IMPROVING TEACHER QUALITY GRANTS/AID	<u>500,000</u>
36 TOTAL AMOUNT APPROPRIATED	<u><u>\$506,000</u></u>

SECTION 7. APPROPRIATION - RESEARCH DEVELOPMENT PROGRAM. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Research Development Fund, for providing Arkansas Research Development Program Grants to Institutions of Higher Education by the Department of Higher Education for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) RESEARCH AND DEVELOPMENT PROGRAM	
GRANTS	<u>\$1,000,000</u>

SECTION 8. APPROPRIATION - HEALTH EDUCATION GRANTS AND LOANS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Grants Fund Account, for payments of the contracts and loans with participating out-of-state institutions of higher learning in the fields of dentistry, optometry, osteopathy, veterinary medicine, chiropractic, and podiatry for the education of Arkansas citizens, by the Department of Higher Education for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) CHIROPRACTIC AID	\$260,000
(02) DENTAL AID - GRANTS	2,133,900
(03) OPTOMETRY AID - GRANTS	410,000
(04) OSTEOPATHY AID	50,000
(05) PODIATRY AID	130,400
(06) VETERINARY AID	1,100,000
(07) DENTAL AID - LOANS	987,370
(08) OPTOMETRY AID - LOANS	140,000
(09) VETERINARY MED. LOAN FORGIVENESS PROGRAM	<u>250,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$5,461,670</u>

SECTION 9. APPROPRIATION - CASH. There is hereby appropriated, to the

1 Department of Higher Education, to be payable from the cash fund deposited in  
 2 the State Treasury as determined by the Chief Fiscal Officer of the State,  
 3 for operating expenses of the Department of Higher Education for the fiscal  
 4 year ending June 30, 2018, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2017-2018</u>
8 (01) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	\$262,000
10 (B) CONF. & TRAVEL	30,000
11 (C) PROF. FEES	63,000
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	0
14 (02) SCHOLARSHIPS	<u>50,000</u>
15 TOTAL AMOUNT APPROPRIATED	<u><u>\$405,000</u></u>

16  
 17 SECTION 10. APPROPRIATION - TANF PROGRAM - FEDERAL. There is hereby  
 18 appropriated, to the Department of Higher Education, to be payable from the  
 19 federal funds as designated by the Chief Fiscal Officer of the State, for  
 20 personal services and operating expenses of the Department of Higher  
 21 Education - TANF Program - Federal for the fiscal year ending June 30, 2018,  
 22 the following:

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2017-2018</u>
26 (01) REGULAR SALARIES	\$221,169
27 (02) PERSONAL SERVICES MATCHING	65,391
28 (03) MAINT. & GEN. OPERATION	
29 (A) OPER. EXPENSE	45,105
30 (B) CONF. & TRAVEL	10,000
31 (C) PROF. FEES	14,784
32 (D) CAP. OUTLAY	0
33 (E) DATA PROC.	0
34 (04) SELF SUFFICIENCY/JOB TRAINING GRANTS	<u>6,793,551</u>
35 TOTAL AMOUNT APPROPRIATED	<u><u>\$7,150,000</u></u>

36

SECTION 11. APPROPRIATION - COLLEGE ACCESS CHALLENGE GRANT. 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 of the Department of Higher Education - College Access Challenge Grant Program - Federal for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$586,000
(B) CONF. & TRAVEL	14,000
(C) PROF. FEES	100,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$700,000</u></u>

SECTION 12. APPROPRIATION - WEB BASED APPLICATIONS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Grants Fund Account, for personal services and operating expenses associated with web based applications of the Department of Higher Education for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) WEB BASED APPLICATIONS PERSONAL SERVICES AND OPERATING EXPENSES	<u><u>\$1,000,000</u></u>

SECTION 13. APPROPRIATION - SCHOLARSHIP ADMINISTRATION. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Grants Fund Account, for personal services and operating expenses of the Department of Higher Education - Scholarship Administration for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>

1	(01) REGULAR SALARIES	\$360,316
2	(02) EXTRA HELP	10,000
3	(03) PERSONAL SERVICES MATCHING	112,912
4	(04) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	130,000
6	(B) CONF. & TRAVEL	0
7	(C) PROF. FEES	150,000
8	(D) CAP. OUTLAY	35,000
9	(E) DATA PROC.	<u>0</u>
10	TOTAL AMOUNT APPROPRIATED	<u><u>\$798,228</u></u>

11

12 SECTION 14. APPROPRIATION - COMPLETE COLLEGE AMERICA GRANT PROGRAM.  
 13 There is hereby appropriated, to the Department of Higher Education, to be  
 14 payable from the cash fund deposited in the State Treasury as determined by  
 15 the Chief Fiscal Officer of the State, for operating expenses of the  
 16 Department of Higher Education - Complete College America Grant Program for  
 17 the fiscal year ending June 30, 2018, the following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2017-2018</u>
21	(01) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	\$75,000
23	(B) CONF. & TRAVEL	0
24	(C) PROF. FEES	0
25	(D) CAP. OUTLAY	0
26	(E) DATA PROC.	<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	<u><u>\$75,000</u></u>

28

29 SECTION 15. APPROPRIATION - OUTCOME-CENTERED FUNDING AWARDS. There is  
 30 hereby appropriated, to the Department of Higher Education, to be payable  
 31 from the Department of Higher Education Fund Account, for distribution of  
 32 Outcome-Centered Funding Awards to Institutions of Higher Education by the  
 33 Department of Higher Education for the fiscal year ending June 30, 2018, the  
 34 following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2017-2018</u>
2	(01) OUTCOME-CENTERED AWARDS - UNIVERSITIES	\$40,320,284
3	(02) OUTCOME-CENTERED AWARDS - COLLEGES	<u>14,192,418</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$54,512,702</u></u>

5  
6 SECTION 16. APPROPRIATION - WORKFORCE INITIATIVE ACT OF 2015. There is  
7 hereby appropriated, to the Department of Higher Education, to be payable  
8 from the Workforce Initiative Act of 2015 Fund, for workforce education  
9 grants, administrative, and operating expenses of the Department of Higher  
10 Education - Workforce Initiative Act of 2015 for the fiscal year ending June  
11 30, 2018, the following:

12		
13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2017-2018</u>
15	(01) WORKFORCE INITIATIVE ACT OF 2015	
16	EXPENSES	<u><u>\$8,000,000</u></u>

17  
18 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMERGENCY  
20 GRANTS & EXTRA HELP POOL. An Institution of higher education that suffers an  
21 emergency/disaster event resulting in all or a significant portion of campus  
22 operations being interrupted, may request disaster assistance through the  
23 Arkansas Department of Higher Education. Upon the declaration of an  
24 emergency by the Governor, the institution may request, subject to the  
25 recommendation of the Director of the Department of Higher Education and  
26 approval of the Governor, a grant from the Disaster Relief Fund to assist in  
27 returning that campus to operation and/or to a sister campus providing  
28 services to the students from the affected campus. Certified law enforcement  
29 officers employed by an institution of higher education may be granted  
30 jurisdiction at the sister institution, upon agreement of both institutions.  
31 The Department of Higher Education is authorized a pool of 500 extra help  
32 positions for use in such emergency situations. These positions may be  
33 assigned to the campus suffering the disaster event or to a sister campus  
34 providing services to the students from the affected campus. The Governor  
35 may waive the 1,500 hour limit of ACA 6-63-314 on these assigned extra help  
36 pool positions.

1 The provisions of this section shall be in effect only from July 1, 2016  
2 2017 through June 30, ~~2017~~ 2018.

3  
4 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

6 REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon  
7 determination by the president or chancellor of an institution of higher  
8 education that a reallocation of resources for purposes of reorganization or  
9 consolidation of administrative functions within the institution is necessary  
10 for efficient and effective operations of the institution, the president or  
11 chancellor, with approval of the institution's board of trustees, may have  
12 the authority to transfer positions, appropriations and related funds between  
13 campuses, divisions, branches, and other budgetary units of the institution,  
14 after receiving prior approval of the Legislative Council or Joint Budget  
15 Committee. The transfers of positions, programs, or activities shall be used  
16 for those purposes for which the appropriations were approved by the General  
17 Assembly. The transfers, consolidations, or reorganizations which involve  
18 academic programs shall be reviewed by the Department of Higher Education  
19 prior to submission to the Legislative Council or Joint Budget Committee.  
20 Provided, however, that the institution shall be limited to submitting no  
21 more than two (2) individual transaction transfer requests during any fiscal  
22 year and shall be further limited to no more than five percent (5%) of the  
23 total General Revenue and Special Revenue appropriation, funding, positions  
24 specific to each institution, and no Tobacco Settlement funds or  
25 appropriations may be reallocated pursuant to this section.

26 Determining the maximum number of employees and the maximum amount of  
27 appropriation and general revenue funding for institutions of higher  
28 education each fiscal year is the prerogative of the General Assembly. This  
29 is usually accomplished by delineating such maximums in the appropriation  
30 act(s) for institutions of higher education and the general revenue  
31 allocations authorized for each fund and fund account by amendment to the  
32 Revenue Stabilization law. Further, the General Assembly has determined that  
33 institutions of higher education may operate more efficiently if some  
34 flexibility is provided to institutions of higher education authorizing broad  
35 powers under this Section. Therefore, it is both necessary and appropriate  
36 that the General Assembly maintain oversight by requiring prior approval of

1 the Legislative Council or Joint Budget Committee as provided by this  
2 section. The requirement of approval by the Legislative Council or Joint  
3 Budget Committee is not a severable part of this section. If the requirement  
4 of approval by the Legislative Council or Joint Budget Committee is ruled  
5 unconstitutional by a court of competent jurisdiction, this entire section is  
6 void.

7 The provisions of this section shall be in effect only from July 1, ~~2016~~  
8 2017 through June 30, ~~2017~~ 2018.

9  
10 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOANS. In  
12 order to provide timely payments under financial aid appropriations made in  
13 this Act, the Chief Fiscal Officer of the State is authorized to provide  
14 loans from the Budget Stabilization Trust Fund to make available all funds  
15 attributable to the financial aid programs under the then current official  
16 revenue estimates. In the event of an unanticipated state revenue shortfall,  
17 any such loans remaining at the end of a fiscal year shall be repaid from  
18 revenues distributed in the first two months of the next fiscal year. Funds  
19 for appropriations made in this Act for purposes other than financial aid  
20 shall not be affected by the application of this provision.

21 The provisions of this section shall be in effect only from July 1, ~~2016~~  
22 2017 through June 30, ~~2017~~ 2018.

23  
24 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORK  
26 FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made  
27 available to the various technical colleges have been determined as set out  
28 in Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B), such documents as  
29 may be necessary shall be processed so that funds may be transferred from the  
30 Work Force 2000 Development Fund to the State Treasury fund or fund account  
31 from which the technical college draws its general revenue support. Such  
32 funds as may be transferred shall not exceed 93.691% of the total funds  
33 available from the Work Force 2000 Development Fund during the fiscal year.  
34 In the event that a technical institute or comprehensive lifelong learning  
35 center which receives support from the Work Force 2000 Development Fund as  
36 determined by law transfers or merges into the Arkansas Technical College and

1 Community College System for which Work Force 2000 Development Fund monies  
 2 are determined by law, then the actual amount of support from the Work Force  
 3 2000 Development Fund in the preceding fiscal year for such educational  
 4 institution shall be made available irrespective of any other provision of  
 5 law which sets out maximum levels of support from such fund.

6 The funds distributed under Arkansas Code 26-51-205(d)(2)(C) in excess of  
 7 those amounts collected and distributed prior to June 30, 2014 shall be  
 8 deposited into the Skills Development Fund to be used only for personal  
 9 services, grants, operation, support, and improvement of occupational,  
 10 vocational, technical, and workforce development programs by the Department  
 11 of Career Education - Office of Skills Development. The distributions of  
 12 funds under Arkansas Code 26-51-205(d)(2)(C) in excess of those amounts  
 13 collected and distributed prior to June 30, 2014 shall not apply to proceeds  
 14 allocated to schools, colleges and educational institutions under Arkansas  
 15 Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B).

16 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 17 2017 through June 30, ~~2017~~ 2018.

18  
 19 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BUILDING  
 21 MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited into the  
 22 Higher Education Building Maintenance Fund, any additional deposits are to be  
 23 transferred to the Research Development Fund there to be used as provided by  
 24 law.

25 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 26 2017 through June 30, ~~2017~~ 2018.

27  
 28 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO  
 30 EXPENDITURES. Proceeds derived from the repayment of loans, grants, or  
 31 scholarships funded by the Higher Education Grants Fund Account shall be  
 32 deposited into the State Treasury fund from which it originated.

33 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 34 2017 through June 30, ~~2017~~ 2018.

35  
 36 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NATIONAL  
2 GUARD TUITION INCENTIVE PROGRAM. In addition to any other provisions of law,  
3 any student who receives assistance from the appropriation made for the  
4 "National Guard Tuition Incentive Program" in this Act shall repay any loans  
5 and/or assistance if the student receives a discharge that is a less than  
6 Honorable Discharge. Priority for funding shall be given to students already  
7 receiving assistance from the National Guard Tuition Incentive Program.

8 The provisions of this section shall be in effect only from July 1, ~~2016~~  
9 2017 through June 30, ~~2017~~ 2018.

10  
11 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH  
13 EDUCATION GRANTS AND LOANS - PRIORITIES. The Arkansas Higher Education  
14 Coordinating Board, after consulting with the recognized associations of each  
15 of the applicable medical professions and other interested persons, shall  
16 determine the priorities for the applicable programs enumerated in the  
17 appropriation made for "Health Education Grants and Loans" in this Act. The  
18 Arkansas Department of Higher Education, if necessary, shall re-adjust the  
19 number of positions for entering students to be funded for each applicable  
20 program based upon the priorities determined by the board.

21 The provisions of this section shall be in effect only from July 1, ~~2016~~  
22 2017 through June 30, ~~2017~~ 2018.

23  
24 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FINANCIAL  
26 AID PROGRAMS REPORTING. The Arkansas Department of Higher Education shall  
27 report by May 30 to the House and Senate Interim Committees on Education the  
28 budgeted allocation for each financial aid program funded through the Higher  
29 Education Grants Fund Account for the upcoming fiscal year and projections  
30 for the following year.

31 The provisions of this section shall be in effect only from July 1, ~~2016~~  
32 2017 through June 30, ~~2017~~ 2018.

33  
34 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
36 AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that

1 receives state scholarship funds administered by the Arkansas Department of  
2 Higher Education shall be subject to audit/review of such funds by the  
3 Division of Legislative Audit, upon approval of the Legislative Joint Audit  
4 Committee.

5 The provisions of this section shall be in effect only from July 1, ~~2016~~  
6 2017 through June 30, ~~2017~~ 2018.

7  
8 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AUDIT  
10 DATA. All post-secondary institutions shall provide to the Arkansas  
11 Department of Higher Education a copy of the Integrated Post-Secondary  
12 Education Data System (IPEDS) data within three weeks following the IPEDS due  
13 date, which shall be subject to audit by the Arkansas Department of Higher  
14 Education.

15 The provisions of this section shall be in effect only from July 1, ~~2016~~  
16 2017 through June 30, ~~2017~~ 2018.

17  
18 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
20 FOR SALARY INCREASES. New funding through the Revenue Stabilization Act  
21 determined by the Arkansas Department of Higher Education to have been for  
22 salary increases for the fiscal year for Institutions of Higher Education  
23 shall be used exclusively for salary increases. New funding actually received  
24 for salary increases shall be spent exclusively for salary increases based  
25 upon the state general revenue portion of total unrestricted educational and  
26 general revenue. Funding received under this provision shall be used for no  
27 purpose other than to provide such salary increases. Any designated funds not  
28 used for salary increases shall be recouped at the end of each fiscal year  
29 and transferred to the General Revenue Allotment Reserve Fund.

30 The provisions of this section shall be in effect only from July 1, ~~2016~~  
31 2017 through June 30, ~~2017~~ 2018.

32  
33 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE  
35 PROGRAM COORDINATOR FUNDING. The Chief Fiscal Officer of the State shall  
36 transfer sufficient funding for the fiscal year from the Higher Education

1 Grants Fund Account to the Department of Higher Education Fund Account in  
2 order to finance the personal services costs of a DHE Program Coordinator.

3 The provisions of this section shall be in effect only from July 1, ~~2016~~  
4 2017 through June 30, ~~2017~~ 2018.

5  
6 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
8 PROVISION. Upon certification by the Director of the Department of Higher  
9 Education that transfers are needed to make maximum utilization of funds and  
10 appropriations provided for financial aid programs, and with the approval of  
11 the Chief Fiscal Officer of the State and a review by the Arkansas  
12 Legislative Council or Joint Budget Committee, funds and appropriations may  
13 be transferred between financial aid programs to more adequately align the  
14 appropriation with the number of eligible students.

15 The provisions of this section shall be in effect only from July 1, ~~2016~~  
16 2017 through June 30, ~~2017~~ 2018.

17  
18 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
20 OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS AND  
21 LOANS. Upon certification to and with the approval of the Chief Fiscal  
22 Officer of the State, surplus funds and appropriations may be transferred  
23 between the appropriations provided for "Health Education Grants and Loans"  
24 by this Act by the General Assembly for Dental Aid Grants and Loans,  
25 Optometry Aid, Veterinary Aid, Podiatry Aid, and Chiropractic Aid ~~and~~  
26 ~~Osteopathy Aid~~.

27 The provisions of this section shall be in effect only from July 1, ~~2016~~  
28 2017 through June 30, ~~2017~~ 2018.

29  
30 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
32 CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a) Upon approval by  
33 the Department of Higher Education and the Chief Fiscal Officer of the State,  
34 institutions of higher education may transfer appropriation from the cash  
35 contingency appropriation to any other appropriation made to the institution  
36 from cash funds including the establishment of commitment items, and may

1 transfer appropriation from the contingency appropriation made payable from  
2 each institution's State Treasury Fund to the state operations appropriation  
3 made payable from each institution's State Treasury Fund including the  
4 establishment of commitment items, and may transfer appropriation from the  
5 contingency appropriation made payable from the Tobacco Settlement Program  
6 Fund Accounts to any other appropriation made to the institution from Tobacco  
7 Settlement Program Fund Accounts including the establishment of commitment  
8 items.

9 (b) Contingency appropriation transfers shall only establish and  
10 supplement commitment items that were recommended by the Higher Education  
11 Coordinating Board in the budget manuals presented to the Legislative Council  
12 and Joint Budget Committee.

13 (c) The Department of Higher Education shall report contingency  
14 appropriation transfers and the establishment of any commitment items  
15 authorized by this Section to the Legislative Council or Joint Budget  
16 Committee for review during its July meeting. The report shall include, by  
17 institution, the establishment of, and the amounts transferred to, each  
18 commitment item, the reasons therefor and the source of funds. Institutions  
19 shall submit contingency appropriation transfer and commitment item  
20 establishment requests authorized by this Section to the Department of Higher  
21 Education no later than July 1. Upon the failure of an institution to submit  
22 the required information by the July 1 deadline, the Department of Higher  
23 Education shall immediately notify by written notification the chairpersons  
24 of the Legislative Council or Joint Budget Committee.

25 The provisions of this section shall be in effect only from July 1, ~~2016~~  
26 2017 through June 30, ~~2017~~ 2018.

27  
28 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STUDENT  
30 UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the Student  
31 Undergraduate Research Fellowship (SURF) Program is the continued development  
32 of undergraduate academic research efforts at Arkansas colleges and  
33 universities. The Arkansas Department of Higher Education shall adopt rules  
34 and regulations necessary for the proper administration of the Student  
35 Undergraduate Research Fellowship Program. Administrative functions and  
36 responsibilities may include, but not necessarily be limited to, the



1 development of eligibility criteria, collection of applications, coordination  
2 of student evaluations, distribution of public notices, and funding of grants  
3 for academic research purposes. Staff of the Arkansas Department of Higher  
4 Education shall administer this program. The Arkansas Department of Higher  
5 Education shall be authorized to expense costs associated with the  
6 administration of the program, from funds made payable from the Higher  
7 Education Grants Fund Account for the Student Undergraduate Research  
8 Fellowship Program as authorized in the Student Assistance Grants and Various  
9 Scholarships appropriation section of this Act.

10 The provisions of this section shall be in effect only from July 1, ~~2016~~  
11 2017 through June 30, ~~2017~~ 2018.

12  
13 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
15 COOPERATION AGREEMENTS. Any institution of Higher Education that has its main  
16 campus, satellite campus, or center located within a twenty five mile radius  
17 of any other main campus of an institution of higher education shall enter  
18 into a written agreement with that institution which must address duplication  
19 of services between the institutions.

20 The provisions of this section shall be in effect only from July 1, ~~2016~~  
21 2017 through June 30, ~~2017~~ 2018.

22  
23 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COST  
25 ALLOCATION. The Department of Higher Education may refund to the Higher  
26 Education Fund Account or the Higher Education Grants Fund Account such  
27 amounts determined by the Department to be reimbursements received from the  
28 Office of the Arkansas Lottery for costs related to the administration of the  
29 Arkansas Academic Challenge Scholarship Program.

30 The provisions of this section shall be in effect only from July 1, ~~2016~~  
31 2017 through June 30, ~~2017~~ 2018.

32  
33 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
35 APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY  
36 TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of

1 Higher Education shall determine the amount available, up to \$200,000 per  
2 fiscal year, to fund the Arkansas Geographical Critical Needs Minority  
3 Teacher Scholarships and shall certify to the Chief Fiscal Officer of the  
4 State and the State Treasurer such amount as is required to be transferred  
5 from the Higher Education Grants Fund Account. Upon receiving such  
6 certification, the Chief Fiscal Officer of the State and the State Treasurer  
7 shall cause to be transferred the necessary funds and appropriation to the  
8 fund account of the University of Arkansas at Pine Bluff for implementation  
9 of this program. The University of Arkansas at Pine Bluff may use up to  
10 twenty percent (20%) of the funds and appropriation for administration of the  
11 program.

12 The provisions of this section shall be in effect only from July 1, ~~2016~~  
13 2017 through June 30, ~~2017~~ 2018.

14

15 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HIGHER  
17 EDUCATION CENTRAL POOL POSITIONS. (a) Universities - (1) The Department of  
18 Higher Education shall establish and maintain a central pool of three hundred  
19 (300) positions to be used to establish additional positions when an  
20 institution does not have sufficient positions available to meet  
21 unanticipated enrollment growth, industry training demands, and its mandated  
22 responsibilities.

23 (2) Central pool positions are to be used by the institutions if the  
24 personnel service needs exceed the number of positions authorized by the  
25 General Assembly and that were not anticipated at the time of the passage of  
26 the institution's operating appropriation act.

27 (3) No position established under this section may exceed the salary rate of  
28 the highest maximum annual salary rate or the highest grade level position  
29 authorized by the General Assembly in the requesting institution's operating  
30 appropriation act.

31 (4) The institution shall provide justification to the Department of Higher  
32 Education for the need to allocate positions from the central pool.

33 (5) Titles shall not be assigned to the institution from the central pool  
34 until specific positions are requested by the institution, recommended by the  
35 Department of Higher Education and approved by the Arkansas Legislative  
36 Council or the Joint Budget Committee.

1 (6) If an institution requests any central pool position to be continued  
2 during the subsequent fiscal year, the position must be requested as a new  
3 position in the institution's subsequent fiscal year budget request.

4 (b) Colleges - (1) The Department of Higher Education shall establish and  
5 maintain a central pool of two hundred fifty (250) positions to be used to  
6 establish additional positions when an institution does not have sufficient  
7 positions available to meet unanticipated enrollment growth, industry  
8 training demands, and its mandated responsibilities.

9 (2) Central pool positions are to be used by the institutions if the  
10 personnel service needs exceed the number of positions authorized by the  
11 General Assembly and that were not anticipated at the time of the passage of  
12 the institution's operating appropriation act.

13 (3) No position established under this section may exceed the salary rate of  
14 the highest maximum annual salary rate or the highest grade level position  
15 authorized by the General Assembly in the requesting institution's operating  
16 appropriation act.

17 (4) The institution shall provide justification to the Department of Higher  
18 Education for the need to allocate positions from the central pool.

19 (5) Titles shall not be assigned to the institution from the central pool  
20 until specific positions are requested by the institution, recommended by the  
21 Department of Higher Education and approved by the Arkansas Legislative  
22 Council or the Joint Budget Committee.

23 (6) If an institution requests any central pool position to be continued  
24 during the subsequent fiscal year, the position must be requested as a new  
25 position in the institution's subsequent fiscal year budget request.

26 (c) Determining the maximum number of employees and the maximum amount of  
27 appropriation and general revenue funding for institutions of higher  
28 education each fiscal year is the prerogative of the General Assembly. This  
29 is usually accomplished by delineating such maximums in the appropriation  
30 act(s) for institutions of higher education and the general revenue  
31 allocations authorized for each fund and fund account by amendment to the  
32 Revenue Stabilization law. Further, the General Assembly has determined that  
33 institutions of higher education may operate more efficiently if some  
34 flexibility is provided to institutions of higher education authorizing broad  
35 powers under this Section. Therefore, it is both necessary and appropriate  
36 that the General Assembly maintain oversight by requiring prior approval of

1 the Legislative Council or Joint Budget Committee as provided by this  
2 section. The requirement of approval by the Legislative Council or Joint  
3 Budget Committee is not a severable part of this section. If the requirement  
4 of approval by the Legislative Council or Joint Budget Committee is ruled  
5 unconstitutional by a court of competent jurisdiction, this entire section is  
6 void.

7 The provisions of this section shall be in effect only from July 1, ~~2016~~  
8 2017 through June 30, ~~2017~~ 2018.

9  
10 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OUTCOME-  
12 CENTERED FUNDING AWARDS. Upon certification of the Director of the  
13 Department of Higher Education, the Chief Fiscal Officer of the State shall  
14 transfer to the Department of Higher Education Fund Account certified amounts  
15 based upon the outcome-centered funding policy of the Arkansas Higher  
16 Education Coordinating Board from the State Treasury funds of the  
17 Institutions of Higher Education. The Department of Higher Education will  
18 distribute funds from the Outcome-Centered Funding Awards Appropriation based  
19 upon the outcome-centered funding policy of the Arkansas Higher Education  
20 Coordinating Board.

21 The provisions of this section shall be in effect only from July 1, ~~2016~~  
22 2017 through June 30, ~~2017~~ 2018.

23  
24 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
26 ADMINISTRATIVE FEES. The Department of Higher Education is authorized to  
27 recover non-refundable administrative fees related to the institutional  
28 certification and exemption process for out-of-state, non-public, and for-  
29 profit colleges and universities. These fees include a notification fee, an  
30 application processing fee, and travel expenses for the certification review  
31 teams.

32 The provisions of this section shall be in effect only from July 1, ~~2016~~  
33 2017 through June 30, ~~2017~~ 2018.

34  
35 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE

1 WORKFORCE INITIATIVE ACT FUNDING. The Chief Fiscal Officer of the State may  
 2 transfer, on his or her books and those of the State Treasurer and the  
 3 Auditor of the State, funding up to the amount authorized in the Workforce  
 4 Initiative Act of 2015 appropriation section in this Act, from the Department  
 5 of Higher Education Fund Account to the Workforce Initiative Act of 2015 Fund  
 6 in order to finance the distribution of grants identified under §6-60-107.

7 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 8 2017 through June 30, ~~2017~~ 2018.

9  
 10 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
 12 WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a) As used in  
 13 this section+,

14 ~~(1) "Health Care Independence Program" means the Health Care~~  
 15 ~~Independence Program established under the Health Care Independence Act of~~  
 16 ~~2013, Arkansas Code § 20-77-2401 et seq., and~~

17 ~~(2) "Arkansas Works Program" means the Arkansas Works Program~~  
 18 ~~established under the Identical Acts 2016 (2nd Ex. Sess.), Nos. 1 and 2,~~  
 19 ~~Arkansas Code § 23-61-1001 et seq.~~

20 (b)(1) Determining the maximum number of employees, the maximum amount  
 21 of appropriation, for what purposes an appropriation is authorized, and  
 22 general revenue funding for a publicly supported institution of higher  
 23 education each fiscal year is the prerogative of the General Assembly.

24 (2) The purposes of subdivision (b)(1) of this section are  
 25 typically accomplished by:

26 (A) Identifying the purpose in the appropriation act;

27 (B) Delineating such maximums in the appropriation act for  
 28 a publicly supported institution of higher education; and

29 (C) Delineating the general revenue allocations authorized  
 30 for each fund and fund account by amendment to the Revenue Stabilization Law,  
 31 Arkansas Code § 19-5-101 et seq.

32 (3) It is both necessary and appropriate that the General  
 33 Assembly restrict the use of appropriations authorized in the acts of  
 34 publicly supported institutions of higher education.

35 (c)(1) Except as provided in this subsection, the publicly supported  
 36 institutions of higher education shall not allocate, budget, expend, or

1 utilize any appropriation authorized by the General Assembly for the purpose  
2 of advertisement, promotion, or other activities designed to promote or  
3 encourage enrollment in the Arkansas Health Insurance Marketplace, ~~the Health~~  
4 ~~Care Independence Program~~, or the Arkansas Works Program, including without  
5 limitation:

6 (A) Unsolicited communications mailed to potential  
7 recipients;

8 (B) Television, radio, or online commercials;

9 (C) Billboard or mobile billboard advertising;

10 (D) Advertisements printed in newspapers, magazines, or  
11 other print media; and

12 (E) Internet websites and electronic media.

13 (2) This subsection does not prohibit the publicly supported  
14 institutions of higher education from:

15 (A) Direct communications with licensed insurance agents;

16 (B) Solicited communications with potential recipients;

17 (C)(i) Responding to an inquiry regarding the coverage for  
18 which a potential recipient might be eligible, including without limitation  
19 providing educational materials or information regarding any coverage for  
20 which the individual might qualify.

21 (ii) Educational materials and information  
22 distributed under subdivision (c)(2)(C)(i) of this section shall contain only  
23 factual information and shall not contain subjective statements regarding the  
24 coverage for which the potential recipient might be eligible; and

25 (D) Using an Internet website for the exclusive purpose of  
26 enrolling individuals in the Arkansas Health Insurance Marketplace, ~~the~~  
27 ~~Health Care Independence Program~~, or the Arkansas Works Program.

28 (d) The publicly supported institutions of higher education shall not  
29 apply for or accept any funds, including without limitation federal funds,  
30 for the purpose of advertisement, promotion, or other activities designed to  
31 promote or encourage enrollment in the Arkansas Health Insurance Marketplace,  
32 ~~the Health Care Independence Program~~, or the Arkansas Works Program.

33 (e)(1) Except as provided in subdivision (e)(2) of this section, the  
34 publicly supported institutions of higher education shall not:

35 (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of  
36 this section, allocate, budget, expend, or utilize an appropriation

1 authorized by the General Assembly for the purpose of funding activities of  
2 navigators, guides, certified application counselors, and certified licensed  
3 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,  
4 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

5 (ii) Subdivision (e)(1)(A)(i) of this section does  
6 not apply to regulatory and training responsibilities related to navigators,  
7 guides, certified application counselors, and certified licensed producers;  
8 and

9 (B) Apply for or accept any funds, including without  
10 limitation federal funds, for the purpose of funding activities of  
11 navigators, guides, certified application counselors, and certified licensed  
12 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,  
13 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

14 (2) Subdivision (e)(1) of this section does not apply to  
15 certified application counselors at health related institutions, including  
16 without limitation the University of Arkansas for Medical Sciences.

17 (f) An appropriation authorized by the General Assembly shall not be  
18 subject to the provisions allowed through reallocation of resources or  
19 transfer of appropriation authority for the purpose of transferring an  
20 appropriation to any other appropriation authorized for a publicly supported  
21 institutions of higher education to be allocated, budgeted, expended, or  
22 utilized in a manner prohibited by this section.

23 (g) The provisions of this section are severable, and the invalidity  
24 of any subsection or subdivision of this section shall not affect other  
25 provisions of the section that can be given effect without the invalid  
26 provision.

27 (h) This section expires on June 30, ~~2017~~ 2018.

28  
29 SECTION 42. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
30 authorized by this act shall be limited to the appropriation for such agency  
31 and funds made available by law for the support of such appropriations; and  
32 the restrictions of the State Procurement Law, the General Accounting and  
33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
34 Procedures and Restrictions Act, or their successors, and other fiscal  
35 control laws of this State, where applicable, and regulations promulgated by  
36 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

2  
3 SECTION 43. LEGISLATIVE INTENT. It is the intent of the General  
4 Assembly that any funds disbursed under the authority of the appropriations  
5 contained in this act shall be in compliance with the stated reasons for  
6 which this act was adopted, as evidenced by the Agency Requests, Executive  
7 Recommendations and Legislative Recommendations contained in the budget  
8 manuals prepared by the Department of Finance and Administration, letters, or  
9 summarized oral testimony in the official minutes of the Arkansas Legislative  
10 Council or Joint Budget Committee which relate to its passage and adoption.

11  
12 SECTION 44. EMERGENCY CLAUSE. It is found and determined by the  
13 General Assembly, that the Constitution of the State of Arkansas prohibits  
14 the appropriation of funds for more than a one (1) year period; that the  
15 effectiveness of this Act on July 1, 2017 is essential to the operation of  
16 the agency for which the appropriations in this Act are provided, and that in  
17 the event of an extension of the legislative session, the delay in the  
18 effective date of this Act beyond July 1, 2017 could work irreparable harm  
19 upon the proper administration and provision of essential governmental  
20 programs. Therefore, an emergency is hereby declared to exist and this Act  
21 being necessary for the immediate preservation of the public peace, health  
22 and safety shall be in full force and effect from and after July 1, 2017.