

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

SENATE BILL 101

5 By: Senator J. Dotson  
6 By: Representative Maddox  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING THE UNIVERSITY OF ARKANSAS; TO  
10 AMEND VARIOUS PROVISIONS OF THE ARKANSAS CODE AS THEY  
11 PERTAIN TO THE UNIVERSITY OF ARKANSAS; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 TO AMEND VARIOUS PROVISIONS OF THE  
16 ARKANSAS CODE AS THEY PERTAIN TO THE  
17 UNIVERSITY OF ARKANSAS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 2-16-802 is amended to read as follows:  
24 2-16-802. Interagency cooperation.

25 A coordinated, concerted effort by the various agencies affected by the  
26 thistle problem is necessary to realize a proper remedy and therefore it is  
27 requested that the State Plant Board, Arkansas Forestry Commission, Arkansas  
28 Natural Resources Commission, ~~University of Arkansas Cooperative Extension~~  
29 ~~Service~~ Division of Agriculture of the University of Arkansas, ~~Natural~~  
30 ~~Resources Conservation Service of the United States Department of Agriculture~~  
31 United States Natural Resource Conservation Service, the several conservation  
32 districts, and all other interested agencies cooperate with each other and  
33 coordinate their efforts toward the eradication of thistles in this state.  
34

35 SECTION 2. Arkansas Code § 2-19-209(a)(2)(B)(ii), concerning monthly  
36 tonage reports, is amended to read as follows:



1 (ii)(a)(1) One dollar and seventy-eight cents  
2 (\$1.78) of the two-dollar-and-forty-cent fee per ton or fractional ton  
3 inspected shall be ~~remitted;~~

4 (A) Remitted to the Board of Trustees of  
5 the University of Arkansas; and ~~shall be credited~~

6 (B) Credited to a fund to be known as  
7 the "University of Arkansas, Division of Agriculture, Soil Testing and  
8 Research Fund" to be maintained in accounts in one (1) or more financial  
9 institutions in the State of Arkansas. ~~This amount~~

10 (2) Funds shall be expended exclusively;

11 (A) Exclusively for soil testing service  
12 and soil fertility research by the Board of Trustees of the University of  
13 Arkansas under appropriations made by the General Assembly. ~~It shall be~~  
14 ~~expended in; and~~

15 (B) In support of one (1) or more soil  
16 testing laboratories ~~and soil fertility research activities at the main~~  
17 ~~experiment station, branch experiment stations, or subbranch experiment~~  
18 ~~stations, at the Division of Agriculture of the University of Arkansas's~~  
19 research and extension centers and research stations as determined and  
20 designated by the Vice President for Agriculture of the University of  
21 Arkansas, and soil fertility activities within the State of Arkansas.

22  
23 SECTION 3. Arkansas Code § 6-61-703 is repealed.

24 ~~6-61-703. Subchapter cumulative.~~

25 ~~The provisions of this subchapter shall be cumulative to the laws of~~  
26 ~~this state governing the creation and operation of community colleges and~~  
27 ~~vocational technical school programs operated by community colleges.~~

28  
29 SECTION 4. Arkansas Code §§ 6-61-705 and 6-61-706 are repealed.

30 ~~6-61-705. Operation as comprehensive institution.~~

31 ~~The community college in Polk County shall be operated as a~~  
32 ~~comprehensive institution providing community college and vocational-~~  
33 ~~technical instruction and programs in the same manner as provided by law as~~  
34 ~~other community colleges of this state under the jurisdiction of the State~~  
35 ~~Community College Board.~~

~~6-61-706. Employees.~~

~~(a)(1) If the presidents and the boards of trustees of the community college in Polk County and Henderson State University determine that it would be in the best interest of the educational programs of the community college that employees of Henderson State University assigned to the Mena Off-Campus Branch of the university continue to provide educational services until the community college can employ sufficient staff to take over the operation of the educational program of the community college, the boards of trustees may enter into necessary contracts and agreements to provide for the orderly transition of the taking-over of the educational programs of the community college by its board of trustees.~~

~~(2) The contracts and agreements may also include the necessary financial agreements for payments to be made by the community college to Henderson State University for services rendered to the community college during the transition period.~~

~~(3) The agreements may include the employment by the community college in Polk County of staff persons of Henderson State University engaged in teaching and instructional duties at the Mena Off-Campus Branch of Henderson State University at the time of the implementation of the operation of the community college or may include agreements for the community college to contract with Henderson State University for the providing of the educational and training services of such instructors under such financial agreements as may be mutually agreed to by the respective institutions.~~

~~(b)(1) Employees of Henderson State University whose services are contracted to the community college in Polk County for teaching duties during the transition period shall continue to participate in the retirement systems, as authorized by law, for Henderson State University during the period of the contract services, but in the event any such employee terminates service with Henderson State University and is employed by the community college district, the employee shall be eligible to become a member of, and participate in, a retirement plan, as authorized by law, for the community college district.~~

~~(2) Other employees of the vocational-technical program of the community college established in Polk County who were not employees of the Rich Mountain Vocational Technical School at the time of the transfer of the school to the community college shall be eligible to participate in such~~

1 ~~retirement plans as are operated by the community college, as authorized by~~  
2 ~~law.~~

3  
4 SECTION 5. Arkansas Code § 6-61-708 is repealed.

5 ~~6-61-708. Building trades construction program.~~

6 ~~Rich Mountain Community College is hereby authorized to participate in~~  
7 ~~a building trades construction program as may be authorized, and under the~~  
8 ~~same restriction provided, by laws for the area vocational and technical~~  
9 ~~schools. Funding for such programs shall be only from revenues received by~~  
10 ~~Rich Mountain Community College that are not required by law to be deposited~~  
11 ~~into the State Treasury.~~

12  
13 SECTION 6. Arkansas Code §§ 6-61-1105 and 6-61-1106 are repealed.

14 ~~6-61-1105. Model programs.~~

15 ~~(a) The University of Arkansas at Fort Smith shall seek a systemic~~  
16 ~~change in the current higher education model by realigning its programs to a~~  
17 ~~model that meets the needs of an information-driven and technology-driven~~  
18 ~~era.~~

19 ~~(b)(1) Each educational program offered by the University of Arkansas~~  
20 ~~at Fort Smith, whether certificate, associate, or bachelor's degree, will~~  
21 ~~have clearly defined expectations of learners in terms of knowledge, skills,~~  
22 ~~competencies, and capacities for further learning.~~

23 ~~(2) Certification of mastery, competency, and demonstrated~~  
24 ~~capacities for individual graduates to customer standards will be required,~~  
25 ~~as opposed to outcomes measured solely by the number of courses taken, seat~~  
26 ~~time, and grade point average.~~

27 ~~(3) Students will be actively involved in the learning process,~~  
28 ~~with curricula designed around fewer lectures and with more responsibility~~  
29 ~~placed on the learner and groups of learners.~~

30  
31 ~~6-61-1106. Employment models.~~

32 ~~In order to accommodate the development and delivery of curricula, the~~  
33 ~~University of Arkansas at Fort Smith is hereby authorized to experiment with~~  
34 ~~and to utilize employment models other than tenure such as the employment of~~  
35 ~~new faculty on a twelve-month, forty-hour week basis, with rewards for~~  
36 ~~administrative staff and faculty based upon results.~~

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SECTION 7. Arkansas Code § 6-61-1108 is repealed.

~~6-61-1108. Sports programs.~~

~~(a) The University of Arkansas at Fort Smith's participation in intercollegiate athletic programs shall continue to be limited to basketball, volleyball, and spring sports, except as provided in subsection (b) of this section.~~

~~(b) The university may participate in an intercollegiate football program provided that state funds, either directly or indirectly, or funds derived from property taxes or student fees are not expended to support the program.~~

SECTION 8. Arkansas Code § 6-62-101(b), concerning the sale of water by state-supported institutions of higher education, is amended to read as follows:

(b) The provisions of this section shall not be applicable to the ~~Main Agricultural Experiment Station of the~~ research and extension centers and stations of the University of Arkansas or any other research facilities of the University of Arkansas.

SECTION 9. Arkansas Code § 6-64-101 is amended to read as follows:

6-64-101. Courses of study.

~~The course of study in the University of Arkansas shall embrace agricultural chemistry, animal and plant anatomy and physiology, the application of science and the mechanic arts to practical agriculture in the field, veterinary arts, entomology, rural and household economy and horticulture, practical mechanic arts as taught in the workshops, the English language and literature, mathematics, civil engineering, philosophy, history, and bookkeeping, military tactics, and such other branches of study as the Board of Trustees of the University of Arkansas may~~ shall prescribe the course of study for the campuses, divisions, and units of the University of Arkansas system.

SECTION 10. Arkansas Code § 6-64-103 is repealed.

~~6-64-103. Marketing News Reporting Program.~~

~~The University of Arkansas Cooperative Extension Service is authorized~~

1 ~~to establish and maintain the Market News Reporting Program in cooperation~~  
2 ~~with the United States Department of Agriculture.~~

3  
4 SECTION 11. Arkansas Code § 6-64-106(a), concerning employees of the  
5 Division of Agriculture of the University of Arkansas, is amended to read as  
6 follows:

7 (a) ~~No~~ A person employed by the Division of Agriculture of the  
8 University of Arkansas ~~System may~~ shall not serve as a voting member of any  
9 board or commission which regulates activities in areas in which the division  
10 has responsibility for conducting research and extension programs.

11  
12 SECTION 12. Arkansas Code § 6-64-106(d), concerning the Vice President  
13 for Agriculture of the University of Arkansas, is amended to read as follows:

14 (d) The Vice President for Agriculture of the University of Arkansas,  
15 subject to approval by the President of the University of Arkansas ~~System~~,  
16 shall determine the areas of responsibility of the division.

17  
18 SECTION 13. Arkansas Code §§ 6-64-208 - 6-64-210 are repealed.

19 ~~6-64-208. Faculty and assistants.~~

20 ~~(a) The faculty of the University of Arkansas shall consist of a~~  
21 ~~president and such professors as the Board of Trustees of the University of~~  
22 ~~Arkansas may deem necessary, whose compensation shall be fixed by the board.~~

23 ~~(b) The board may employ such assistants as it may deem necessary,~~  
24 ~~whose compensation shall be fixed by the board.~~

25 ~~(c) The manner of payment of all salaries shall be regulated by the~~  
26 ~~board.~~

27  
28 ~~6-64-209. Leaves of absence of faculty.~~

29 ~~(a) The matter of leaves of absence of the faculty shall rest with the~~  
30 ~~Board of Trustees of the University of Arkansas.~~

31 ~~(b) No person shall be entitled to any salary when on leave of~~  
32 ~~absence, except when on university business.~~

33  
34 ~~6-64-210. Salaries and compensation of teachers and employees.~~

35 ~~The Board of Trustees of the University of Arkansas shall fix and from~~  
36 ~~time to time regulate the fees, allowances, salaries, and wages to be paid to~~

1 architects, inspectors, professors, teachers, agents, committees, servants,  
2 or other necessary employees. It shall observe rigid economy in such  
3 expenditures and diligently discharge its duties according to law.  
4

5 SECTION 14. Arkansas Code § 6-64-214 is repealed.

6 ~~6-64-214. Employment of relatives.~~

7 ~~(a) No person related by affinity or consanguinity within the first  
8 degree to any member of the Board of Trustees of the University of Arkansas  
9 shall be employed in the University of Arkansas in any capacity. However, the  
10 provisions of this subsection shall not be applicable with respect to any  
11 person who is already employed by the university as of March 21, 1985, or at  
12 the time a relative becomes a member of the board, or to any student doing  
13 work at the university.~~

14 ~~(b) The secretary of the board is prohibited from drawing a warrant in  
15 favor of any such relative and shall be liable on his or her bond for any  
16 violation of this provision. However, the provisions of this subsection shall  
17 not be applicable with respect to any person who is already employed by the  
18 university as of March 21, 1985, or at the time a relative becomes a member  
19 of the board.~~

20  
21 SECTION 15. Arkansas Code § 6-64-216 is repealed.

22 ~~6-64-216. Report as to expenditures.~~

23 ~~The Board of Trustees of the University of Arkansas shall make a report  
24 to the General Assembly, showing by items how each appropriation is expended.~~

25  
26 SECTION 16. Arkansas Code § 6-64-305 is amended to read as follows:

27 6-64-305. ~~eVersity~~ University of Arkansas Grantham – University of  
28 Arkansas system.

29 ~~(a) The General Assembly acknowledges that the eVersity, an entirely  
30 online institution of higher education of the University of Arkansas system  
31 established by the actions of the Board of Trustees of the University of  
32 Arkansas and recognized by the Arkansas Higher Education Coordinating Board,  
33 may:~~

34 ~~(1) Offer certificate and degree programs in a manner that  
35 recognizes a systemic change from the traditional model for higher education;  
36 and~~

1           ~~(2) Provide educational programs that meet the needs of an~~  
2 ~~information rich and technology oriented population in a development driven~~  
3 ~~workforce era.~~

4           ~~(b) A program of study offered by the eVersity shall have clearly~~  
5 ~~defined expectations of students, including without limitations expectations~~  
6 ~~concerning:~~

7                   ~~(1) Knowledge;~~

8                   ~~(2) Skills;~~

9                   ~~(3) Competencies; and~~

10                   ~~(4) Capacities for additional learning.~~

11           ~~(c) To meet the needs of a changing workforce, graduates of the~~  
12 ~~eVersity are required to demonstrate mastery, competency, and capabilities of~~  
13 ~~the program area.~~

14           ~~(d)(1) The eVersity courses and degree programs shall be designed to~~  
15 ~~require active participation and engagement of students in the learning~~  
16 ~~process.~~

17                   ~~(2) The eVersity courses and degree programs will be supported~~  
18 ~~by strong academic support services to enhance student success.~~

19           ~~(e) To provide affordable educational opportunities, open educational~~  
20 ~~resources shall be utilized to support course delivery to students.~~

21           ~~(f)(a)~~ To keep courses and degree programs offered by the eVersity  
22 University of Arkansas Grantham at affordable tuition levels while  
23 maintaining transparency and accountability, the ~~eVersity~~ University of  
24 Arkansas Grantham is exempt from the following statutes that are not  
25 applicable to an entirely online institution of higher education:

26                   (1) Section 6-60-204;

27                   (2) Section 6-60-206 [repealed];

28                   (3) Section 6-60-211;

29                   (4) Section 6-60-303;

30                   (5) Immunizations, § 6-60-501 et seq.;

31                   (6) Textbooks and course materials, § 6-60-601 et seq.;

32                   (7) Arkansas Higher Education Information System, § 6-60-901 et  
33 seq.;

34                   (8) Sections 6-61-107 and 6-61-108;

35                   (9) Section 6-61-123;

36                   (10) Section 6-61-127 [repealed];



- 1           (11) Section 6-61-130;
- 2           (12) Section 6-61-207;
- 3           (13) Sections 6-61-214 and 6-61-215;
- 4           (14) Sections 6-61-220 – 6-61-222;
- 5           (15) Section 6-61-224 [repealed];
- 6           (16) Sections 6-61-228 – 6-61-230 [repealed];
- 7           (17) Section 6-61-233 [repealed];
- 8           (18) Sections 6-62-106 and 6-62-107;
- 9           (19) Section 6-63-104;
- 10          (20) Section 6-63-303;
- 11          (21) Section 6-63-307;
- 12          (22) Section 6-80-106; ~~and~~
- 13          (23) Section 19-4-1604; ~~and~~
- 14          (24) Section 6-60-111.

15  
16           SECTION 17. Arkansas Code § 6-64-601 is repealed.

17           ~~6-64-601. Construction—Subchapter exclusive authority.~~

18           ~~(a) This subchapter shall be construed liberally.~~

19           ~~(b) The enumeration of any object, purpose, power, manner, method, and~~  
20 ~~thing shall not be deemed to exclude like or similar objects, purposes,~~  
21 ~~powers, manners, methods, and things.~~

22           ~~(c) This subchapter shall be the sole authority required for the~~  
23 ~~accomplishment of the purposes of this subchapter.~~

24  
25           SECTION 18. Arkansas Code § 6-64-606 is repealed.

26           ~~6-64-606. Levy of costs—Use and priorities of funds collected.~~

27           ~~(a) All collections of the costs levied by this subchapter shall be~~  
28 ~~used by the Board of Trustees of the University of Arkansas solely for~~  
29 ~~purposes of legal education, including academic, clinical, and continuing~~  
30 ~~education, operated under the auspices and academic administration of the~~  
31 ~~Schools of Law, including, without limitation, financing the costs of:~~

32           ~~(1) The construction, expansion, improvement, or equipping of~~  
33 ~~buildings and facilities for legal education on the sites owned by the board~~  
34 ~~and located in or near the City of Fayetteville, Arkansas, or the City of~~  
35 ~~Little Rock, Arkansas; and~~

36           ~~(2) The operation of legal education programs.~~

1           ~~(b) In determining the needs of legal education in Arkansas and in~~  
 2 ~~allocating funds to meet these needs from the levying of costs as provided in~~  
 3 ~~this subchapter, including funds derived from revenue bonds authorized in~~  
 4 ~~this subchapter, the board shall give first priority to the upgrading and~~  
 5 ~~maintenance of the University of Arkansas at Fayetteville School of Law to~~  
 6 ~~the end that such school, as quickly as funds permit, shall become a first-~~  
 7 ~~class quality law school in the physical facilities, library content,~~  
 8 ~~faculty, administration, and operating program.~~

9  
 10           SECTION 19. Arkansas Code §§ 6-64-607 - 6-64-620 are repealed.

11           ~~6-64-607. Financing authority.~~

12           ~~The Board of Trustees of the University of Arkansas is authorized and~~  
 13 ~~empowered to issue revenue bonds from time to time in sufficient principal~~  
 14 ~~amounts and to use the proceeds of the bonds, together with any other~~  
 15 ~~available funds, for defraying the costs of accomplishing the purposes set~~  
 16 ~~forth in § 6-64-606(a)(1), paying all incidental expenses in connection~~  
 17 ~~therewith, paying the expenses of authorizing and issuing bonds, creating~~  
 18 ~~debt service reserves to secure the payment of the bonds, if the board deems~~  
 19 ~~that desirable, and making provision for the payment of interest on the bonds~~  
 20 ~~during construction, if the board deems that desirable.~~

21  
 22           ~~6-64-608. Bonds — Authorizing resolution — Trust indenture.~~

23           ~~(a) The bonds shall be authorized by authorizing resolution of the~~  
 24 ~~Board of Trustees of the University of Arkansas.~~

25           ~~(b) The authorizing resolution may contain or may provide for the~~  
 26 ~~execution with a bank or trust company within or without the State of~~  
 27 ~~Arkansas of a trust indenture which may contain any other terms, covenants,~~  
 28 ~~and conditions that are deemed desirable by the board, including, without~~  
 29 ~~limitation, those pertaining to:~~

30                     ~~(1) The maintenance of various funds and reserves;~~

31                     ~~(2) The nature and extent of the security;~~

32                     ~~(3) The issuance of additional bonds and the nature of the lien~~  
 33 ~~and pledge in that event;~~

34                     ~~(4) The custody and application of the proceeds of the bonds;~~

35                     ~~(5) The collection and disposition of revenues;~~

36                     ~~(6) The investing and reinvesting, in securities specified by~~

1 the board, of any moneys during periods when the moneys are not needed for  
2 authorized purposes; and

3           ~~(7) The rights, duties, and obligations of the board and of the~~  
4 ~~holders and registered owners of the bonds.~~

5  
6           ~~6-64-609. Bonds — Terms and conditions.~~

7           ~~(a) The bonds may be coupon bonds, payable to bearer, or may be~~  
8 ~~registrable as to principal only or as to principal and interest, and may be~~  
9 ~~made exchangeable for bonds of another denomination, may be in such form and~~  
10 ~~denomination, may have such date or dates, may be stated to mature at such~~  
11 ~~times, may bear interest payable at such times and at such rate or rates not~~  
12 ~~exceeding ten percent (10%) per annum, may be made payable at such places~~  
13 ~~within or without the State of Arkansas, may be sold by such method, may be~~  
14 ~~made subject to such terms of redemption in advance of maturity at such~~  
15 ~~prices, and may contain such terms and conditions, all as the Board of~~  
16 ~~Trustees of the University of Arkansas shall determine.~~

17           ~~(b) The bonds shall have all the qualities of negotiable instruments~~  
18 ~~under the laws of the State of Arkansas, subject to provisions as to~~  
19 ~~registration, as set forth above.~~

20  
21           ~~6-64-610. Bonds — Execution and seal.~~

22           ~~(a)(1) The bonds shall be executed by the manual or faesimile~~  
23 ~~signature of the chair of the Board of Trustees of the University of Arkansas~~  
24 ~~and by the manual signature of the secretary of the board.~~

25           ~~(2) The coupons attached to the bonds shall be executed by the~~  
26 ~~faesimile signature of the chair of the board.~~

27           ~~(b) In case any of the officers whose signatures appear on the bonds~~  
28 ~~or coupons shall cease to hold those offices before the delivery of the bonds~~  
29 ~~or coupons, their signatures, nevertheless, shall be valid and sufficient for~~  
30 ~~all purposes.~~

31           ~~(c) Each bond shall be sealed with the seal of the university.~~

32  
33           ~~6-64-611. Bonds — Liability.~~

34           ~~(a) It shall be plainly stated on the face of each bond that:~~

35           ~~(1) It has been issued under the provisions of this subchapter;~~

36           ~~(2) The bonds shall be obligations only of the Board of Trustees~~

1 of the University of Arkansas;

2 (3) In no event shall they constitute an indebtedness for which  
3 the faith and credit of the State of Arkansas or any of its revenues are  
4 pledged; and

5 (4) The bonds are not secured by a mortgage or lien on any land  
6 or buildings belonging to the board or the State of Arkansas.

7 (b) No member of the board shall be personally liable on the bonds or  
8 for any damages sustained by anyone in connection with any contracts entered  
9 into in carrying out the purposes and intent of this subchapter unless he or  
10 she shall have acted with a corrupt intent.

11  
12 ~~6-64-612. Bonds — Pledge of costs levied by subchapter.~~

13 (a) The bonds, principal and interest, shall be special obligations of  
14 the Board of Trustees of the University of Arkansas secured by and payable  
15 from a pledge of all or a portion of the collections of the costs levied by  
16 this subchapter.

17 (b) The pledge of bonds shall constitute a prior pledge of, and claim  
18 on, such costs over any other claim arising out of, or pertaining to, any  
19 other authorized use of collections of such costs as specified in § 6-64-606.

20 (c) The bonds, principal and interest, shall not be secured by a  
21 pledge of any other appropriated funds or cash funds of the board or the  
22 university.

23  
24 ~~6-64-613. Bonds — Contract with holders and owner.~~

25 (a) Any authorizing resolution and trust indenture, together with this  
26 subchapter, shall constitute a contract between the Board of Trustees of the  
27 University of Arkansas and the holders and registered owners of the bonds.

28 (b) The contract and all covenants, agreements, and obligations  
29 therein shall be promptly performed in strict compliance with the terms and  
30 provisions of the contract.

31 (c) The covenants, agreements, and obligations of the board may be  
32 enforced by mandamus or other appropriate proceedings at law or in equity.

33  
34 ~~6-64-614. Bonds — Tax exemption.~~

35 The principal and interest of bonds issued under this subchapter shall  
36 be exempt from all state, county, and municipal taxes, and the exemption

1 ~~shall include income, inheritance, and estate taxes.~~

2  
3 ~~6-64-615. Bonds—Investment of funds of retirement or pension systems.~~  
4 ~~The board of trustees of any retirement or pension system created by~~  
5 ~~the General Assembly of the State of Arkansas, in its discretion, may invest~~  
6 ~~its funds in bonds issued under this subchapter.~~

7  
8 ~~6-64-616. Bonds—Construction fund.~~

9 ~~(a) The Board of Trustees of the University of Arkansas shall include~~  
10 ~~necessary provisions in the authorizing resolution or trust indenture to~~  
11 ~~require the deposit of the proceeds of each bond issue, except the accrued~~  
12 ~~interest, which shall be deposited into the bond fund, into a special~~  
13 ~~construction fund which shall be a trust fund in such depository as the board~~  
14 ~~shall designate.~~

15 ~~(b) The depository shall be a member of the Federal Deposit Insurance~~  
16 ~~Corporation, and all moneys in excess of the amount insured by the Federal~~  
17 ~~Deposit Insurance Corporation must be secured by direct obligations of the~~  
18 ~~United States unless invested in securities specified by the board.~~

19 ~~(c) The moneys in the construction fund shall be used solely for the~~  
20 ~~purposes set forth in § 6-64-606.~~

21  
22 ~~6-64-617. Bonds—Use of excess costs.~~

23 ~~Subject to the provisions of any authorizing resolution or trust~~  
24 ~~indenture securing payment of any bonds outstanding under this subchapter,~~  
25 ~~collections of the costs levied by this subchapter in excess of the amounts~~  
26 ~~necessary to provide for the payment of bonds, including principal and~~  
27 ~~interest, may be used as determined by the Board of Trustees of the~~  
28 ~~University of Arkansas from time to time for accomplishing any purposes set~~  
29 ~~forth in § 6-64-606.~~

30  
31 ~~6-64-618. Outstanding bonds—Change in costs for payments.~~

32 ~~So long as there are outstanding any bonds to which collections of the~~  
33 ~~costs levied by this subchapter are pledged, the General Assembly may~~  
34 ~~eliminate, modify, or otherwise change the costs levied by this subchapter.~~  
35 ~~These changes may be made only on the condition that there is always~~  
36 ~~maintained in effect and made available for the payment of outstanding bonds~~

1 ~~sources of revenue which produce revenues at least sufficient in amount to~~  
2 ~~provide for the payment of the principal of and interest on the outstanding~~  
3 ~~bonds and to comply with all covenants, including, without limitation, the~~  
4 ~~maintenance of funds and reserves, in favor of the holders or registered~~  
5 ~~owners of the outstanding bonds or the trustee for the holders or registered~~  
6 ~~owners of the outstanding bonds.~~

7  
8 ~~6-64-619. Refunding bonds.~~

9 ~~(a) Bonds may be issued for the purpose of refunding any bonds issued~~  
10 ~~under this subchapter.~~

11 ~~(b)(1) Refunding bonds may either be sold or delivered in exchange for~~  
12 ~~the bonds being refunded.~~

13 ~~(2) If sold, the proceeds may be either applied to the payment~~  
14 ~~of the bonds being refunded or deposited in trust and there maintained in~~  
15 ~~cash or investments for the retirement of the bonds being refunded as shall~~  
16 ~~be specified by the Board of Trustees of the University of Arkansas in the~~  
17 ~~resolution or trust indenture securing the refunding bonds.~~

18 ~~(c) The resolution or trust indenture securing the refunding bonds may~~  
19 ~~provide that the refunding bonds shall have the same priority of pledge as~~  
20 ~~was enjoyed by the bonds refunded.~~

21 ~~(d) Refunding bonds shall be sold and secured in accordance with the~~  
22 ~~provisions of this subchapter pertaining to the sale and security of bonds.~~

23  
24 ~~6-64-620. Construction of legal education facilities—Employment of~~  
25 ~~professionals.~~

26 ~~(a) The Board of Trustees of the University of Arkansas is authorized~~  
27 ~~to employ architects to prepare plans, specifications, and estimates of cost~~  
28 ~~for the construction of legal education facilities and to supervise and~~  
29 ~~inspect the construction.~~

30 ~~(b) After the board has approved the plans and specifications prepared~~  
31 ~~by the architect, it shall proceed to advertise for bids and contract for the~~  
32 ~~construction of the public buildings in accordance with applicable laws~~  
33 ~~governing the construction of public buildings.~~

34 ~~(c) In addition, the board is authorized to engage and pay such~~  
35 ~~professional, technical, and other help as it shall determine to be necessary~~  
36 ~~or desirable in assisting it to carry out effectively the authorities,~~

1 functions, powers, and duties conferred and imposed upon it by this  
2 subchapter.

3  
4 SECTION 20. Arkansas Code § 6-64-1001 is repealed.

5 ~~6-64-1001. Penalty.~~

6 ~~Any officer or employee who shall violate any of the provisions of § 6-~~  
7 ~~64-213 [repealed] or §§ 6-64-1005—6-64-1009 shall be guilty of a violation~~  
8 ~~and fined any sum not less than one hundred dollars (\$100) nor more than one~~  
9 ~~thousand dollars (\$1,000) and immediately removed from office.~~

10  
11 SECTION 21. Arkansas Code § 6-64-1003 is repealed.

12 ~~6-64-1003. Bond given United States to secure use of arms for military.~~

13 ~~(a) The Board of Trustees of the University of Arkansas or the~~  
14 ~~President of the University of Arkansas may cause a bond to be executed to~~  
15 ~~the United States, or to any person designated by the United States~~  
16 ~~Department of Defense, for the purpose of securing the use of arms and~~  
17 ~~accoutrements for the military department of the University of Arkansas and~~  
18 ~~for the return of the arms and accoutrements.~~

19 ~~(b) The bond may be executed by any guaranty or surety company~~  
20 ~~acceptable to the United States for such amount and on such conditions as may~~  
21 ~~be required, and the costs of executing the bond shall be paid from any funds~~  
22 ~~of the university not otherwise appropriated.~~

23  
24 SECTION 22. Arkansas Code §§ 6-64-1005 - 6-64-1009 are repealed.

25 ~~6-64-1005. Employees to file monthly accounts.~~

26 ~~Each employee of the University of Arkansas shall present his or her~~  
27 ~~account at the end of each month to the financial officer of the university,~~  
28 ~~which account, when allowed, shall be so endorsed and filed with the Auditor~~  
29 ~~of State, who shall draw his or her warrant on the Treasurer of State for the~~  
30 ~~sum due, which shall be paid by the Treasurer of State out of any funds~~  
31 ~~appropriated for that purpose.~~

32  
33 ~~6-64-1006. Dealers' accounts.~~

34 ~~(a) All persons who shall sell any goods, wares, merchandise, or~~  
35 ~~supplies of any character for the use of the University of Arkansas or any of~~  
36 ~~its departments, or who shall perform any services for the university or any~~

1 ~~of its departments the costs for which shall be charged against the~~  
2 ~~university shall be required at the end of each month, or more often, to~~  
3 ~~present to the financial officer of the university an itemized account.~~

4 ~~(b)(1) The claimant or his or her agent shall append to his or her~~  
5 ~~demand an affidavit of its justice, which shall be immediately examined by~~  
6 ~~the financial officer of the university.~~

7 ~~(2) If found correct, the claim shall forthwith be marked~~  
8 ~~correct and shall then be forwarded by the financial officer of the~~  
9 ~~university to the Auditor of State, and filed by him or her, and he or she~~  
10 ~~shall draw his or her warrant on the Treasurer of State for such sum due,~~  
11 ~~which shall be paid by the Treasurer of State out of any funds appropriated~~  
12 ~~for the purpose.~~

13 ~~(c) All accounts filed for goods or supplies furnished shall be made~~  
14 ~~in duplicate and in itemized form, and a copy shall be retained in the office~~  
15 ~~of the financial officer of the university. Another copy shall be filed with~~  
16 ~~the Auditor of State as a permanent record.~~

17  
18 ~~6-64-1007. Statement to be itemized for allowance and payment.~~

19 ~~No claim whatsoever against the University of Arkansas or any of its~~  
20 ~~departments shall be allowed or paid from any of the funds appropriated by~~  
21 ~~the state in any other manner than provided in this subchapter, and the~~  
22 ~~Auditor of State is forbidden to draw warrants on the Treasurer of the State~~  
23 ~~for the payment of any moneys on any account for or against the university,~~  
24 ~~except upon an itemized statement and in the manner prescribed in this~~  
25 ~~subchapter.~~

26  
27 ~~6-64-1008. Claims allowed and ordered paid to be listed.~~

28 ~~All claims allowed and ordered paid by the financial officer of the~~  
29 ~~University of Arkansas, as provided in this subchapter, shall be listed and a~~  
30 ~~copy submitted to the Board of Trustees of the University of Arkansas at each~~  
31 ~~meeting for their investigation and approval.~~

32  
33 ~~6-64-1009. Funds excepted from application of §§ 6-64-1006—6-64-1008.~~

34 ~~The provisions of §§ 6-64-1006—6-64-1008 shall not apply to student~~  
35 ~~fees, student deposits, and other sums collected at the University of~~  
36 ~~Arkansas at Fayetteville, nor to any funds except those held in the State~~



1 ~~Treasury for the use of the University of Arkansas.~~

2  
3 SECTION 23. Arkansas Code § 15-21-402 is repealed.

4 ~~15-21-402. University of Arkansas designated as state agency.~~

5 ~~(a) The University of Arkansas, hereinafter referred to as the~~  
6 ~~“university”, is designated as the agency of the State of Arkansas to~~  
7 ~~formulate, to submit to the United States Secretary of Agriculture, and to~~  
8 ~~administer state agricultural plans designed to carry out the policy and~~  
9 ~~purposes of §7 of the Soil Conservation and Domestic Allotment Act, 16 U.S.C.~~  
10 ~~§ 590g.~~

11 ~~(b) The university shall perform the duties and functions as the state~~  
12 ~~agency separately and distinctly from the performance of its duties and~~  
13 ~~functions in any other capacity, except that as the state agency, it shall~~  
14 ~~cooperate with the dean and faculty of the Dale Bumpers College of~~  
15 ~~Agricultural, Food and Life Sciences of the University of Arkansas, with the~~  
16 ~~Cooperative Extension Service and the Agricultural Experiment Station, and~~  
17 ~~with other agencies of the state qualified to assist therein. The university~~  
18 ~~may utilize the services and assistance of the personnel and facilities~~  
19 ~~normally used in the performance of other functions of the university if that~~  
20 ~~may be done without interference with the effective performance of those~~  
21 ~~other functions.~~

22  
23 SECTION 24. Arkansas Code § 19-5-303(a)(2), concerning higher  
24 education funds for the University of Arkansas, is amended to read as  
25 follows:

26 (2) The University of Arkansas Fund shall be used for the  
27 maintenance, operation, and improvement of the University of Arkansas,  
28 including the Fayetteville campus, the University of Arkansas Cooperative  
29 Extension Service, the University of Arkansas ~~agricultural experiment~~  
30 ~~stations~~ Agricultural Experiment Station, the Graduate Institute of  
31 Technology, the Arkansas Archeological Survey, and for such other related and  
32 miscellaneous programs as may be provided by law.

33  
34 SECTION 25. Arkansas Code § 25-1-205(b), concerning the publication or  
35 distribution of state agency copies to the Legislative Council, is amended to  
36 read as follows:

1 (b) This section shall not apply to:

2 (1) Copies of legislative bills;

3 (2) Copies of statutes, laws, and rules;

4 (3) Information disseminated solely to the press;

5 (4) Publications that are applications, instructions, or  
6 guidelines for complying with any state or federal law, rule, regulation, or  
7 policy;

8 (5) Promotional brochures and educational materials published by  
9 the Department of Parks, Heritage, and Tourism;

10 (6) Publications of the ~~University of Arkansas Cooperative~~  
11 ~~Extension Service~~ Division of Agriculture of the University of Arkansas; and

12 (7) Marketing and promotional information published by the  
13 Arkansas Economic Development Commission.

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