

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Rep. Thicksten**

A Bill

ACT 1259 OF 1993
HOUSE BILL 1900

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PROVISION OF
9 FINANCIAL ASSISTANCE TO ARKANSAS CITIZENS ENGAGED IN THE
10 STUDY OF DENTAL MEDICINE, OPTOMETRY, OSTEOPATHY,
11 VETERINARY MEDICINE, CHIROPRACTIC EDUCATION AND PODIATRY
12 EDUCATION TO THE *STUDENT LOAN AUTHORITY* FOR THE BIENNIAL
13 PERIOD ENDING JUNE 30, 1995; AND FOR OTHER PURPOSES."

Subtitle

16 "AN ACT FOR THE *STUDENT LOAN AUTHORITY* APPROPRIATION."

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

20 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the *Student*
21 *Loan Authority*, to be payable from the Department of Higher Education Grants
22 Fund Account, for payments of the contracts with schools of higher learning
23 for the education of Arkansas citizens at out-of-state institutions of higher
24 learning in the fields of dental medicine, optometry, osteopathy, veterinary
25 medicine, chiropractic education and podiatry education by the *Student Loan*
26 *Authority* for the biennial period ending June 30, 1995, the following:

28 ITEM	FISCAL YEARS	
29 NO.	1993-94	1994-95
30 (01) SREB DENTAL AID	\$ 838,869	\$ 838,869
31 (02) OPTOMETRY AID	265,127	265,127
32 (03) SREB VETERINARY AID	563,381	563,381
33 (04) CHIROPRACTIC AID	202,446	212,446
34 (05) OSTEOPATHY AID	75,948	75,948
35 (06) <i>PODIATRY AID</i>	81,012	81,012
36 (07) <i>NON SREB DENTAL AID</i>	75,948	75,948

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2 (08) NON SREB VETERINARY AID	<u>134,118</u>	<u>134,118</u>
3 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,236,849</u>	<u>\$ 2,246,849</u>

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5 SECTION 2. Arkansas Code § 6-4-104 is hereby amended to read as
6 follows:

7 "6-4-104. Agent for out-of-state education.

8 The State Board of Higher Education is designated agent for the State of
9 Arkansas for the purpose of entering into a program of out-of-state training
10 and education for residents of Arkansas through the cooperation of the Board
11 of Control for Southern Regional Education which was created by interstate
12 compact with Arkansas, a signatory pursuant to House Concurrent Resolution 13,
13 approved March 2, 1949, and the Student Loan Authority is hereby authorized to
14 administer the program."

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16 SECTION 3. Arkansas Code § 6-4-105 is hereby amended to read as
17 follows:

18 "6-4-105. Contracts for out-of-state education.

19 (a) As agent for the state, the State Board of Higher Education shall
20 contract with the Board of Control for Southern Regional Education in order
21 that the latter may act to secure admission of Arkansas residents as students
22 in institutions of higher learning operated by other states who are
23 signatories of the compact.

24 (b) Contract authority shall include the placing of students for study
25 in the fields for which the Board of Control for Southern Regional Education
26 may maintain programs, including, but not limited to, veterinary medicine and
27 dentistry.

28 (c) The State Board of Higher Education shall contract to pay the Board
29 of Control for Southern Regional Education for Arkansas students accepted
30 under this program, provided that in no case will the contract price exceed
31 the amount approved by the Board of Control for Southern Regional Education."

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33 SECTION 4. Arkansas Code § 6-4-106(a) is hereby amended to read as
34 follows:

35 "(a) Students seeking the subsidy to be paid for their benefit shall

1 apply to the Student Loan Authority giving necessary information."
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3 SECTION 5. Arkansas Code § 6-4-107(a) is hereby amended to read as
4 follows:

5 "(a) The Student Loan Authority shall be the disbursing agency for the
6 State of Arkansas for the purpose of authorizing payment to the Board of
7 Control for Southern Regional Education under this program."
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9 SECTION 6. The Student Loan Authority shall institute a program of
10 making loans to Arkansas residents to assist in paying tuition for attending
11 any accredited school of dentistry, school of optometry, school of veterinary
12 medicine, school of podiatry, school of chiropractic, or school of osteopathy
13 located outside the state of Arkansas. For schools that charge different
14 tuition amounts for in-state students and out-of-state students the amount
15 will be the difference between the in-state tuition and the out-of-state
16 tuition; for schools which charge the same amount of tuition for in-state and
17 out-of-state students, the amount shall not be less than five thousand dollars
18 (\$5,000) per student. The program shall be administered by the *Student Loan*
19 *Authority*. The loans shall be made upon such terms and conditions as
20 prescribed by the *Student Loan Authority* except that if the recipient returns
21 to Arkansas and engages in the practice of dentistry, optometry, veterinary
22 medicine, podiatry, osteopathy or chiropractic for each year of practice in
23 Arkansas the *Student Loan Authority* shall cancel, converting to a scholarship
24 grant, the full amount of one year_s loan plus accrued interest. The *Student*
25 *Loan Authority* shall promulgate such rules and regulations as necessary to
26 implement the provisions of this section. Any person currently receiving
27 assistance through the programs enumerated in Act 1054 of 1991 shall continue
28 to receive their financial assistance as a grant instead of a loan.
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30 SECTION 7. TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS.
31 Upon certification to and with the approval of the Chief Fiscal Officer of the
32 State, surplus funds and appropriations may be transferred between the
33 appropriations herein provided by the Seventy-Ninth General Assembly for SREB
34 Dental Aid, Optometry Aid, SREB Veterinary Aid, Podiatry Aid, Chiropractic Aid
35 and Osteopathic Aid.

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2 SECTION 8. Upon certification by the State Board of Higher Education,
3 and at the request of the Director of the Department of Higher Education, the
4 Chief Fiscal Officer of the State is hereby authorized to transfer from the
5 balances remaining in appropriation and funds authorized for the Academic
6 Challenge Scholarships's line item, such amounts as may be certified to the
7 various institutions of higher education. These appropriations and funds will
8 be transferred to those institutions of higher education in such amounts as
9 deemed appropriate by the State Board of Higher Education in meeting the
10 educational needs of the State through a financial assistance program of
11 grants and forgivable loans, designed to meet State needs, based on comments
12 and advice sought by the State Board of Higher Education to determine areas of
13 critical and strategic needs for graduates in specific courses of study and
14 for racial and gender diversity and as an incentive fund in assisting the
15 public colleges and universities to focus their resources on improving
16 productivity and performance and taking related steps to address the strategic
17 interests and needs of the State.

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19 SECTION 9. REPORTING REQUIREMENTS. The Disbursing Officer of the
20 Student Loan Authority shall annually compile information, as described
21 herein, on students who receive financial aid through the various
22 appropriations provided for in this Act. Such information shall include the
23 number of students receiving financial aid under each line item of Section 1
24 of this Act, the name of each out-of-state school which each student is
25 attending or has attended, and the location and occupation of each student
26 after they have completed their course of study for a period of three years.

27 Such information shall be compiled into a report and presented in
28 conjunction with the biennial appropriation budget request for the
29 appropriation provided herein, to the Arkansas Legislative Council. The
30 Student Loan Authority shall also report the number of graduates of the
31 University of Arkansas Medical School who have received state aid for
32 attending the University of Arkansas Medical School and who are practicing
33 within this state.

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35 SECTION 10. CARRY FORWARD. The balance of the funds and appropriations

1 as provided in this Act which remain on June 30, 1994, shall be carried
2 forward and made available for the same purposes for the fiscal year ending
3 June 30, 1995.

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5 SECTION 11. SPECIAL PROVISIONS. The following special provisions
6 regarding the educational programs provided by this act shall be implemented:

7 (1) Effective July 1, 1993, those students who currently receive or who
8 have been accepted to receive financial assistance from the programs
9 enumerated in Section 1 of this Act shall continue to receive financial
10 assistance from the appropriations made in Section 1 of this Act;

11 (2) Effective July 1, 1993, the State Board of Higher Education shall
12 determine the priorities for the applicable programs enumerated in Section 1
13 of this Act and the disbursing officer for the appropriations made by this Act
14 shall re-adjust the number of positions funded for new freshman positions for
15 the applicable programs enumerated in Section 1 of this Act according to the
16 need of the State for each profession, based upon the priorities determined by
17 the board after hearing testimony from the recognized associations of each of
18 the applicable medical professionals; and

19 (3) The State Board of Higher Education shall conduct a study during the
20 1993-95 biennium as to the need for health care providers in Arkansas and
21 report its findings to the General Assembly on or before October 1, 1994.

22 (4) Effective July 1, 1993, those students receiving loans may defer
23 their loan requirements by becoming licensed in the State of Arkansas within
24 six (6) months after the date of graduation and entering into one of the
25 following services or programs and remaining there in active professional
26 service before returning to Arkansas to satisfy their loan requirements:

- 27 (a) The Veterans Administration;
28 (b) The Indian Health Service;
29 (c) A Branch of the Uniformed Military Service;
30 (d) The U. S. Public Health Service;
31 (e) Approved Residency Program

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33 SECTION 12. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
34 authorized by this Act shall be limited to the appropriation for such agency
35 and funds made available by law for the support of such appropriations; and

1 the restrictions of the State Purchasing Law, the General Accounting and
2 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
3 Procedures and Restrictions Act, or their successors, and other fiscal control
4 laws of this State, where applicable, and regulations promulgated by the
5 Department of Finance and Administration, as authorized by law, shall be
6 strictly complied with in disbursement of said funds.

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8 SECTION 13. Arkansas Code §§ 6-60-301 through 6-60-305 are hereby
9 repealed.

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

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20 SECTION 15. CODE. All provisions of this Act of a general and
21 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
22 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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24 SECTION 16. SEVERABILITY. If any provision of this Act or the
25 application thereof to any person or circumstance is held invalid, such
26 invalidity shall not affect other provisions or applications of the Act which
27 can be given effect without the invalid provision or application, and to this
28 end the provisions of this Act are declared to be severable.

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30 SECTION 17. GENERAL REPEALER. All laws and parts of laws in conflict
31 with this Act are hereby repealed.

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33 SECTION 18. EMERGENCY CLAUSE. It is hereby found and determined by the
34 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
35 prohibits the appropriation of funds for more than a two (2) year period; that

1 the effectiveness of this Act on July 1, 1993 is essential to the operation of
2 the agency for which the appropriations in this Act are provided, and that in
3 the event of an extension of the Regular Session, the delay in the effective
4 date of this Act beyond July 1, 1993 could work irreparable harm upon the
5 proper administration and provision of essential governmental programs.
6 Therefore, an emergency is hereby declared to exist and this Act being
7 necessary for the immediate preservation of the public peace, health and
8 safety shall be in full force and effect from and after July 1, 1993.

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/s/Edward F. Thicksten

APPROVED: 4/20/93

As Engrossed: 3/15/93 3/18/93 3/24/93 4/1/93

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