

*As Engrossed: 3/10/95 3/28/95 4/6/95*

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: *Joint Budget Committee***

# A Bill

**ACT 1164 OF 1995**  
**SENATE BILL 608**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 6, CHAPTER 63,  
9 SUBCHAPTER 3, THE HIGHER EDUCATION EXPENDITURE RESTRICTION  
10 ACT; AND FOR OTHER PURPOSES."

## Subtitle

13 "AN ACT TO AMEND THE HIGHER EDUCATION  
14 EXPENDITURE RESTRICTION ACT."

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

18 SECTION 1. Arkansas Code Annotated 6-63-305(b) is hereby amended to  
19 read as follows:

20 "(b) The following maximum number of new additional positions is  
21 established for the biennium for the following institutions of higher  
22 education, at salary rates not to exceed the salary rate of comparable  
23 positions established in the regular salaries section of the biennial  
24 appropriations act for operations for each institution:

Institution	Maximum Number of Additional Positions
Arkansas State University	100
Arkansas State University - Mountain Home	20
Arkansas State University - Beebe	50
Arkansas State University - Beebe/Newport	60
Arkansas Tech University	40
ATU - Mining & Minerals Resources Research Inst.	15
Black River Technical College	20
Cossatot Technical College	20

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1 East Arkansas Community College	20
2 Garland County Community College	20
3 Gateway Technical College	20
4 Henderson State University	40
5 Mid-South Community College	40
6 Mississippi County Community College	40
7 Mountain Home Technical College	20
8 North Arkansas Community/Technical College	40
9 North West Arkansas Community College	20
10 Ouachita Technical College	20
11 Ozarka Technical College	20
12 Petit Jean Technical College	20
13 Phillips County Community College	20
14 Pines Technical College	20
15 Pulaski Technical College	20
16 Red River Technical College	20
17 Rich Mountain Community College	20
18 South Arkansas Community College	40
19 Southern Arkansas University	40
20 SAU - Tech	30
21 University of Arkansas - Fayetteville	250
22 University of Arkansas - Exp. Stations	250
23 University of Arkansas - Archeological Survey	150
24 University of Arkansas - Little Rock	250
25 University of Arkansas - Medical Sciences	250
26 University of Arkansas - Monticello	50
27 University of Arkansas - Pine Bluff	100
28 University of Central Arkansas	50
29 Westark Community College	30"

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31        *SECTION 2. In addition to other payroll deductions authorized by law,*  
32 *the governing board for each institution of higher education may permit*  
33 *deductions from the payrolls of the institution's employees for tuition, fees*  
34 *or such other items as the governing board shall approve. No such deduction*  
35 *shall be allowed unless authorized in writing by the employee.*

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2           SECTION 3. Arkansas Code 6-63-305(a) is hereby amended to read as  
3 follows:

4           "(a) (1) In the event that additional federal funds, grants, gifts or  
5 collections become available that were not authorized or contemplated at the  
6 time of the passage of the biennial appropriation act for operations for each  
7 institution enumerated in subsection (b) of this section, that such new funds  
8 make it possible for the recipient institution to engage in educational  
9 projects that would be of benefit to the State of Arkansas, and that such  
10 projects would make it necessary to employ additional personnel, the president  
11 of the recipient institution, upon authorization by the appropriate board of  
12 trustees, and after review and approval by the Office of Personnel Management  
13 of the requested classifications and/or maximum annual salaries set out in  
14 dollars, may establish such positions as necessary. The source of funding for  
15 positions established under this subsection shall be reported to the Office of  
16 Personnel Management by the institution at the time of request. Institutions  
17 may request that classifications and/or maximum annual salary determinations  
18 made by the Office of Personnel Management be submitted to the Arkansas  
19 Legislative Council for review, where the recipient institution has determined  
20 that such recommendations do not adequately describe the purposes of the  
21 intended program or programs.

22           (2) The Director of the Office of Personnel Management shall report all  
23 such approvals to the Arkansas Legislative Council in the month following  
24 approval and shall certify all additional positions established under the  
25 provisions of this subsection to the Director of the Department of Finance and  
26 Administration and the State Auditor."

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28           SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
29 Assembly that any funds disbursed under the authority of appropriations  
30 contained in this act shall be in compliance with the stated reasons for which  
31 this act was adopted, as evidenced by the Agency Requests, Executive  
32 Recommendations, and Legislative Recommendations contained in the budget  
33 manual prepared by the Department of Finance and Administration or the  
34 Arkansas Department of Higher Education, letters, or summarized oral testimony  
35 in the official minutes of the Arkansas Legislative Council or Joint Budget

1 Committee which relate to its passage and adoption.

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3 SECTION 5. All provisions of this act of a general and permanent nature  
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
5 Revision Commission shall incorporate the same in the Code.

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7 SECTION 6. If any provision of this act or the application thereof to  
8 any person or circumstance is held invalid, such invalidity shall not affect  
9 other provisions or applications of the act which can be given effect without  
10 the invalid provision or application, and to this end the provisions of this  
11 act are declared to be severable.

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13 SECTION 7. All laws and parts of laws in conflict with this act are  
14 hereby repealed.

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16 SECTION 8. EMERGENCY. It is hereby found and determined by the  
17 Eightieth General Assembly that changes in various accounting and expenditure  
18 provisions of the State are necessary in order to promote efficiency; and the  
19 provisions of this Act provide such changes. Therefore, an emergency is  
20 hereby declared to exist and this Act being necessary for the immediate  
21 preservation of the public peace, health and safety shall be in full force and  
22 effect from and after July 1, 1995.

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*/s/Russ*

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APPROVED: 4-11-95

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