

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 2124 of the Regular Session

As Engrossed: S3/17/05 S4/5/05 S4/8/05

A Bill

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

SENATE BILL 453

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HIGHER EDUCATION FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF HIGHER
17 EDUCATION APPROPRIATION FOR THE
18 2005-2007 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby
25 established for the Department of Higher Education for the 2005-2007
26 biennium, the following maximum number of regular employees whose salaries
27 shall be governed by the provisions of the Uniform Classification and
28 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
29 all laws amendatory thereto. Provided, however, that any position to which a
30 specific maximum annual salary is set out herein in dollars, shall be exempt
31 from the provisions of said Uniform Classification and Compensation Act. All
32 persons occupying positions authorized herein are hereby governed by the
33 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
34 Code §21-5-101), or its successor.
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Item	Class		Maximum	Maximum Annual	
No.	Code	Title	No. of	Salary Rate	Fiscal Years
			Employees	2005-2006	2006-2007
(1)	9960	HIGHER ED DIRECTOR	1	\$128,474	\$131,311
(2)	7243	HIGHER EDUCATION DEPUTY DIRECTOR	1	\$119,155	\$121,852
(3)	9773	HIGHER ED SENIOR ASSOC DIR	1	\$109,295	\$111,844
(4)		DHE GENERAL COUNSEL	1	\$ 85,000	\$ 88,000
(5)	9922	DHE ASSOC DIR FOR ACADEMIC AFFAIRS	1	\$94,806	\$97,138
(6)	9774	HIGHER ED ASSOC DIR FOR FISCAL AFF	1	\$94,806	\$97,138
(7)	9978	ASST DIR FOR PLNG & ACCOUNTABILITY	1	\$80,875	\$82,961
(8)	9090	HE ASST DIR OF INFO SERVICES	1	\$80,875	\$82,961
(9)	9983	HIGHER ED COORDINATOR OF Y.O.U. PGM	1	\$72,721	\$74,652
(10)	9966	HIGHER ED STUDENT FIN AID MANAGER	1	\$72,721	\$74,652
(11)	9965	HIGHER ED COORD OF ACADEMIC PROGRAM	1	\$72,721	\$74,652
(12)	9623	H E COORD OF INSTITUTIONAL FINANCE	1	\$72,721	\$74,652
(13)	9288	HIGHER ED COORD. OF RECRUITMENT	1	\$72,721	\$74,652
(14)	9242	HE COORD OF FINANCIAL AID	1	\$72,721	\$74,652
(15)	9093	HE COORD 2-YR INST FINANCE	1	\$72,721	\$74,652
(16)	9092	HE COORD OF GENERAL ADMIN	1	\$72,721	\$74,652
(17)	9059	HIGHER ED COORD OF HEALTH EDUCATION	1	\$72,721	\$74,652
(18)	9022	HE COORD ACADEMIC CERTIFICATION	1	\$72,721	\$74,652
(19)	7091	DHE COORD OF FEDERAL PROGRAMS	2	\$72,721	\$74,652
(20)	9716	HE COORDINATOR OF COMMUNICATIONS	1	\$72,225	\$74,147
(21)	D064	SR SYSTEMS PROGRAMMER	1	GRADE 24	
(22)	A252	DHE FINANCIAL MANAGER	3	GRADE 24	
(23)	R096	HIGHER ED ASST COORD STUD FIN AID	4	GRADE 24	
(24)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
(25)	R088	HIGHER ED FINANCIAL OFFICER	1	GRADE 22	
(26)	D036	SR PROGRAMMER/ANALYST	1	GRADE 21	
(27)	R240	DHE DATA COLLECTION ANALYST	2	GRADE 20	
(28)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
(29)	R444	BUSINESS CONTROLLER I	1	GRADE 15	
(30)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15	
(31)	K153	SECRETARY II	4	GRADE 13	
		MAX. NO. OF EMPLOYEES	42		

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2 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby authorized,
3 for the Department of Higher Education for the 2005-2007 biennium, the
4 following maximum number of part-time or temporary employees, to be known as
5 "Extra Help", payable from funds appropriated herein for such purposes:
6 seven (7) temporary or part-time employees, when needed, at rates of pay not
7 to exceed those provided in the Uniform Classification and Compensation Act,
8 or its successor, or this act for the appropriate classification.

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10 SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby
11 appropriated, to the Department of Higher Education, to be payable from the
12 Department of Higher Education Fund Account, for personal services, operating
13 expenses and grants of the Department of Higher Education for the biennial
14 period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 2,359,894	\$ 2,422,847
(02) EXTRA HELP	25,000	25,000
(03) PERSONAL SERVICES MATCHING	605,250	617,254
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	531,191	531,191
(B) CONF. & TRAVEL	30,000	30,000
(C) PROF. FEES	25,000	25,000
(D) CAP. OUTLAY	13,000	13,000
(E) DATA PROC.	0	0
(05) YOUTH OPPORTUNITIES UNLIMITED GRANTS/AIDS	<u>75,000</u>	<u>75,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,664,335</u>	<u>\$ 3,739,292</u>

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31 SECTION 4. APPROPRIATION - STUDENT ASSISTANCE GRANTS AND VARIOUS
32 SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher
33 Education, to be payable from the Higher Education Grants Fund Account, for
34 providing student assistance grants and various scholarships as provided by
35 law by the Department of Higher Education for the biennial period ending June
36 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) NATIONAL GUARD TUITION ASSISTANCE PROGRAM	\$ 500,000	\$ 500,000
(02) JR/SR MINORITY TEACHER SCHOLARSHIPS	300,000	300,000
(03) MINORITY MASTERS FELLOWS	280,000	280,000
(04) SECOND EFFORT SCHOLARSHIPS	20,000	20,000
(05) SREB MINORITY DOCTORAL SCHOLARS	200,000	200,000
(06) TUITION ADJUSTMENT	350,000	350,000
(07) EMERGENCY SECONDARY EDUCATION LOANS	81,717	81,717
(08) TARGETED TEACHER DEVELOPMENT PROGRAM	2,000,000	2,500,000
(09) AR ACADEMIC CHALLENGE SCHOLARSHIPS	30,174,734	30,174,734
(10) ARKANSAS GOVERNOR'S SCHOLARS	9,500,000	9,500,000
(11) STUDENT UNDERGRADUATE RESEARCH FELLOWSHIP PROGRAM (SURF)	152,050	153,987
(12) TEACHER/ADMINISTRATOR GRANTS	2,000,000	2,000,000
(13) WORKFORCE IMPROVEMENT GRANTS	3,710,345	3,710,345
(14) AR GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIPS	200,000	200,000
(15) DEPENDENTS OF LAW ENFORCEMENT OFFICERS, ETC SCHOLARSHIPS	120,000	120,000
(16) DEPENDENTS OF POWS, MIAS, KIAS-TUITION WAIVER SCHOLARSHIPS	75,000	75,000
(17) FACULTY/ADMINISTRATOR DEVELOPMENT FELLOWS MATCHING	<u>30,000</u>	<u>30,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 49,693,846</u>	<u>\$ 50,195,783</u>

SECTION 5. APPROPRIATION - STATE SCHOLARSHIP - FEDERAL. 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 grants-in-aid of the Department of Higher Education - State Scholarship - Federal Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007

1 (01) GRANTS AND AID-STATE
 2 SCHOLARSHIPS-FEDERAL \$ 520,000 \$ 520,000
 3

4 SECTION 6. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS. There
 5 is hereby appropriated, to the Department of Higher Education, to be payable
 6 from the federal funds as designated by the Chief Fiscal Officer of the
 7 State, for personal services and operating expenses of the Department of
 8 Higher Education - Technical Education - Federal Programs for the biennial
 9 period ending June 30, 2007, the following:

11 ITEM	FISCAL YEARS	
12 NO.	2005-2006	2006-2007
13 (01) REGULAR SALARIES	\$ 145,442	\$ 149,304
14 (02) PERSONAL SERVICES MATCHING	35,504	36,242
15 (03) MAINT. & GEN. OPERATION		
16 (A) OPER. EXPENSE	85,711	85,711
17 (B) CONF. & TRAVEL	19,000	19,000
18 (C) PROF. FEES	73,717	73,717
19 (D) CAP. OUTLAY	0	0
20 (E) DATA PROC.	<u>0</u>	<u>0</u>
21 TOTAL AMOUNT APPROPRIATED	<u>\$ 359,374</u>	<u>\$ 363,974</u>

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 23 SECTION 7. APPROPRIATION - IMPROVING TEACHER QUALITY. There is hereby
 24 appropriated, to the Department of Higher Education, to be payable from the
 25 federal funds as designated by the Chief Fiscal Officer of the State, for
 26 operating expenses and grants-in-aid of the Department of Higher Education -
 27 Improving Teacher Quality Program for the biennial period ending June 30,
 28 2007, the following:

30 ITEM	FISCAL YEARS	
31 NO.	2005-2006	2006-2007
32 (01) MAINT. & GEN. OPERATION		
33 (A) OPER. EXPENSE	\$ 26,856	\$ 26,856
34 (B) CONF. & TRAVEL	13,000	13,000
35 (C) PROF. FEES	8,000	8,000
36 (D) CAP. OUTLAY	0	0

1	(E) DATA PROC.	0	0
2	(02) IMPROVING TEACHER QUALITY GRANTS/AID	<u>1,517,402</u>	<u>1,517,402</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,565,258</u>	<u>\$ 1,565,258</u>

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5 SECTION 8. APPROPRIATION - HIGHER EDUCATION BUILDING MAINTENANCE. There is
 6 hereby appropriated, to the Department of Higher Education, to be payable
 7 from the Higher Education Building Maintenance Fund, for maintenance of
 8 various buildings at the Institutions of Higher Education by the Department
 9 of Higher Education for the biennial period ending June 30, 2007, the sum of
 10\$1,800,000.

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12 SECTION 9. APPROPRIATION - RESEARCH DEVELOPMENT PROGRAM. There is hereby
 13 appropriated, to the Department of Higher Education, to be payable from the
 14 Higher Education Research Development Fund, for providing Arkansas Research
 15 Development Program Grants to Institutions of Higher Education by the
 16 Department of Higher Education for the biennial period ending June 30, 2007,
 17 the sum of.....\$2,000,000.

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19 SECTION 10. APPROPRIATION - HEALTH EDUCATION GRANTS AND LOANS. There is
 20 hereby appropriated, to the Department of Higher Education, to be payable
 21 from the Higher Education Grants Fund Account, for payments of the contracts
 22 with participating out-of-state institutions of higher learning in the fields
 23 of dentistry, optometry, osteopathy, veterinary medicine, chiropractic and
 24 podiatry for the education of Arkansas citizens by the Department of Higher
 25 Education for the biennial period ending June 30, 2007, the following:

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27	ITEM	FISCAL YEARS	
28	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
29	(01) DENTAL AID - GRANTS	\$ 1,495,000	\$ 1,610,000
30	(02) DENTAL AID - LOANS	270,000	360,000
31	(03) CHIROPRACTIC AID	255,000	260,000
32	(04) OPTOMETRY AID	316,400	341,600
33	(05) OSTEOPATHY AID	166,700	179,800
34	(06) PODIATRY AID	99,600	111,800
35	(07) VETERINARY AID	<u>851,094</u>	<u>913,347</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,453,794</u>	<u>\$ 3,776,547</u>

SECTION 11. APPROPRIATION - CASH. There is hereby appropriated, to the Department of Higher Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Higher Education for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 4,380	\$ 4,380
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,380</u>	<u>\$ 4,380</u>

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

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORK FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made available to the various technical colleges have been determined as set out in Arkansas Code 26-51-205(d)(2), such documents as may be necessary shall be

1 processed so that funds may be transferred from the Work Force 2000
2 Development Fund to the State Treasury fund or fund account from which the
3 technical college draws its general revenue support. Such funds as may be
4 transferred shall not exceed ~~77.19%~~ 93.69% of the total funds available from
5 the Work Force 2000 Development Fund during each fiscal year of the biennial
6 period ending June 30, ~~2005~~ 2007.

7 In the event that a technical institute or comprehensive lifelong learning
8 center which receives support from the Work Force 2000 Development Fund as
9 determined by law transfers or merges into the Arkansas Technical College and
10 Community College System for which Work Force 2000 Development Fund monies
11 are determined by law, then the actual amount of support from the Work Force
12 2000 Development Fund in the preceding fiscal year for such educational
13 institution shall be made available irrespective of any other provision of
14 law which sets out maximum levels of support from such fund.

15 The provisions of this section shall be in effect only from July 1, ~~2003~~
16 2005 through June 30, ~~2005~~ 2007.

17

18 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BUILDING
20 MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited into the
21 Higher Education Building Maintenance Fund, the next \$10,000,000 or so much
22 as is collected, is to be transferred to the Research Development Fund there
23 to be used as provided by law.

24 The provisions of this section shall be in effect only from July 1, ~~2003~~
25 2005 through June 30, ~~2005~~ 2007.

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27 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
29 EXPENDITURES. Proceeds derived from the repayment of loans as authorized *in*
30 *Items (07), (02), (03) and (08) of Section 4 of this Act* for the Emergency
31 Secondary Education Loans, the JR/SR Minority Teacher Scholars, ~~and~~ the
32 Minority Masters Fellows and the Targeted Teacher Development Program shall
33 be deposited into the State Treasury as "Refunds to Expenditures."

34 The provisions of this section shall be in effect only from July 1, ~~2003~~
35 2005 through June 30, ~~2005~~ 2007.

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1 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
3 FORWARD. The balance of the funds and *appropriations* as provided in *Section*
4 *4 of this Act for the Governor's Scholars Program and the Academic Challenge*
5 *Scholarships Program which remain* on June 30, ~~2004~~ 2006, shall be carried
6 forward and made available for the same purpose for the fiscal year ending
7 June 30, ~~2005~~ 2007.

8 The provisions of this section shall be in effect only from July 1, ~~2003~~
9 2005 through June 30, ~~2005~~ 2007.

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11 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NATIONAL
13 GUARD TUITION ASSISTANCE PROGRAM. In addition to any other provisions of law,
14 any student who receives assistance from the appropriation made for the
15 "National Guard Tuition Assistance Program" in this Act shall repay any loans
16 and/or assistance if the student receives a discharge that is a less than
17 Honorable *Discharge*. Priority for funding shall be given to students already
18 receiving assistance from the National Guard Tuition Assistance Program.

19 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005
20 through June 30, ~~2005~~ 2007.

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22 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
24 GOVERNOR'S SCHOLARS PROGRAM. Should the funding of Governor's Scholars
25 Program exceed the funding level of the previous fiscal year and the number
26 of scholarships awarded increases to 200 or more, the Department of Higher
27 Education shall make every effort to assure a geographic distribution of the
28 awards without compromising the academic criteria established for such
29 awards.

30 The provisions of this section shall be in effect only from July 1, ~~2003~~
31 2005 through June 30, ~~2005~~ 2007.

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33 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE
35 SAVINGS BONDS. The Department of Higher Education shall adopt rules and
36 regulations for the allocation of the funds reappropriated for the

1 development of projects at State Institutions of Higher Education and the
2 payment of project costs and expenses of the issuance of the bonds of the
3 Arkansas College Savings General Obligation Bonds Program to ensure that
4 funds are allocated and expended in a manner consistent with the provisions
5 of the Internal Revenue Code applicable to the Arkansas College Savings
6 General Obligation Bond Program (Program). The funds reappropriated for the
7 development of projects at State Institutions of Higher Education and the
8 payment of project costs and expenses of the issuance of the bonds of the
9 Arkansas College Savings General Obligation Bonds Program shall be allocated
10 and expended pursuant to the provisions of Arkansas Code 6-62-701 et. seq.
11 and other laws of this State. The expenditure and allocation of funds shall
12 be exempt from any other provisions of state law which conflicts with any
13 provision of the rules and regulations which rules and regulations are
14 required to ensure the compliance of the Program with the applicable
15 provisions of the Internal Revenue Code.

16 The provisions of this section shall be in effect only from July 1, ~~2003~~
17 2005 through June 30, ~~2005~~ 2007.

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19 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE
21 SAVINGS BONDS LIMITATIONS. The total principal amount of bonds to be issued
22 during any fiscal biennium shall not exceed three-hundred million dollars
23 (\$300,000,000), nor shall the principal amount of bonds outstanding at any
24 time have debt service requirements in excess of twenty-four million dollars
25 (\$24,000,000) in any one fiscal year *from all state revenue sources*.

26 The provisions of this section shall be in effect only from July 1, ~~2003~~
27 2005 through June 30, ~~2005~~ 2007.

28

29 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
31 FORWARD - HEALTH EDUCATION GRANTS. The balance of the funds and
32 *appropriations as provided for "Health Education Grants" in this Act* which
33 remain on June 30, ~~2004~~ 2006, shall be carried forward and made available for
34 the same purposes for the fiscal year ending June 30, ~~2005~~ 2007.

35 The provisions of this section shall be in effect only from July 1, ~~2003~~
36 2005 through June 30, ~~2005~~ 2007.

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2 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
4 EDUCATION GRANTS - PRIORITIES. The Arkansas Higher Education Coordinating
5 Board, after consulting with the recognized associations of each of the
6 applicable medical professions and other interested persons, shall determine
7 the priorities for the applicable programs enumerated in the appropriation
8 made for "Health Education *Grants and Loans*" in this Act. The Arkansas
9 Department of Higher Education, if necessary, shall re-adjust the number of
10 positions for entering students to be funded for each applicable program
11 based upon the priorities determined by the board.

12 The provisions of this section shall be in effect only from July 1, ~~2003~~
13 2005 through June 30, ~~2005~~ 2007.

14
15 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FINANCIAL
17 AID PROGRAMS REPORTING. The Arkansas Department of Higher Education shall
18 report by May 30 to the House and Senate Interim Committees on Education the
19 budgeted allocation for each financial aid program funded through the Higher
20 Education Grants Fund Account for the upcoming fiscal year and projections
21 for the following year.

22 The provisions of this section shall be in effect only from July 1, ~~2003~~
23 2005 through June 30, ~~2005~~ 2007.

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25 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
27 AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that
28 receives state scholarship funds administered by the Arkansas Department of
29 Higher Education shall be subject to audit/review of such funds by the
30 Division of Legislative Audit, upon approval of the Legislative Joint Audit
31 Committee.

32 The provisions of this section shall be in effect only from July 1, ~~2003~~
33 2005 through June 30, ~~2005~~ 2007.

34
35 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AUDIT

1 DATA. All post-secondary institutions shall provide to the Arkansas
2 Department of Higher Education a copy of the Integrated Post-Secondary
3 Education Data System (IPEDS) within three weeks following the IPEDS due
4 date, which shall be subject to audit by the Arkansas Department of Higher
5 Education.

6 The provisions of this section shall be in effect only from July 1, ~~2003~~
7 2005 through June 30, ~~2005~~ 2007.

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9 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
11 APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY
12 TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of
13 Higher Education shall determine the amount available, up to \$200,000 per
14 fiscal year, to fund the Arkansas Geographical Critical Needs Minority
15 Teacher Scholarships and shall certify to the Chief Fiscal Officer of the
16 State and the State Treasurer such amount as is required to be transferred
17 from the Higher Education Grants Fund Account. Upon receiving such
18 certification, the Chief Fiscal Officer of the State and the State Treasurer
19 shall cause to be transferred the necessary funds and appropriation to the
20 fund account of the University of Arkansas at Pine Bluff for implementation
21 of this program. The University of Arkansas at Pine Bluff may use up to
22 twenty percent (20%) of the funds and appropriation for administration of the
23 program.

24 The provisions of this section shall be in effect only from July 1, ~~2003~~
25 2005 through June 30, ~~2005~~ 2007.

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27 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
29 FOR SALARY INCREASES. New funding through the Revenue Stabilization Act
30 determined by the Arkansas Department of Higher Education to have been for
31 salary increases for each year of the ~~2003-2005~~ 2005-2007 Biennium for
32 Institutions of Higher Education shall be used exclusively for salary
33 increases. New funding actually received for salary increases shall be spent
34 exclusively for salary increases based upon the state general revenue portion
35 of total unrestricted educational and general revenue. Funding received under
36 this provision shall be used for no purpose other than to provide such salary

1 increases. Any designated funds not used for salary increases shall be
2 recouped at the end of each fiscal year and transferred to the General
3 Revenue Allotment Reserve Fund.

4 The provisions of this section shall be in effect only from July 1, 2003
5 2005 through June 30, ~~2005~~ 2007.

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7 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HIGHER
9 EDUCATION COORDINATOR OF RECRUITMENT FUNDING: The Chief Fiscal Officer of the
10 State shall transfer the sums of ninety thousand, four hundred seventy-four
11 dollars (\$90,474) for fiscal year ending June 30, 2006 and ninety-two
12 thousand, seven hundred seventy-six dollars (\$92,776) for fiscal year ending
13 June 30, 2007 from the Higher Education Grants Fund Account to the Department
14 of Higher Education Fund Account in order to finance the personal services
15 costs of the Higher Education Coordinator of Recruitment.

16 The provisions of this section shall be in effect only from July 1, 2003
17 2005 through June 30, ~~2005~~ 2007.

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19 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
20 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
21 PROVISION. *Upon certification by the Director of the Department of Higher*
22 *Education that transfers are needed to make maximum utilization of funds and*
23 *appropriations provided for financial aid programs, and with the approval of*
24 *the Chief Fiscal Officer of the State and a review by the Arkansas*
25 *Legislative Council, funds and appropriations may be transferred between*
26 *financial aid programs, except that funds and appropriations may not be*
27 *transferred for such purposes from either the Governor's Scholars Program or*
28 *the Academic Challenge Scholarships Program in excess of \$1,000,000 in the*
29 *aggregate in either fiscal year. Any transfer restrictions contained in*
30 *appropriation acts for the Department of Higher Education relating to*
31 *appropriation transfers from Governor's Scholars Program and Academic*
32 *Challenge Scholarships shall not be applicable to transfers between*
33 *Governor's Scholars and Academic Challenge Scholarship appropriations.*

34 The provisions of this section shall be in effect only from ~~July 1, 2003~~
35 July 1, 2005 through ~~June 30, 2005~~ June 30, 2007.

36

1 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
2 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF
3 HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS. Upon
4 certification to and with the approval of the Chief Fiscal Officer of the
5 State, surplus funds and appropriations may be transferred between the
6 appropriations provided for "Health Education Grants" by this Act by the
7 ~~Eighty-Fourth~~ Eighty-Fifth General Assembly for Dental Aid, Optometry Aid,
8 Veterinary Aid, Podiatry Aid, Chiropractic Aid and Osteopathic Aid.

9 The provisions of this section shall be in effect only from ~~July 1, 2003~~
10 July 1, 2005 through ~~June 30, 2005~~ June 30, 2007.

11
12 SECTION 31. SPECIAL LANGUAGE. Arkansas Code 6-63-312 concerning
13 contingency appropriations for higher education is amended to read as
14 follows:

15 6-63-312. Contingency appropriations - Transfers and reports.

16 (a) Upon approval by the Department of Higher Education and the Chief
17 Fiscal Officer of the State, institutions of higher education may transfer
18 appropriation from the cash contingency appropriation to any other
19 appropriation made to the institution from cash funds, ~~and institutions may~~
20 transfer appropriation from the contingency appropriation made payable from
21 each institution's State Treasury Fund to the state operations appropriation
22 made payable from each institution's State Treasury Fund.

23 (b) The department shall report monthly to the Legislative Council these
24 appropriation transfers, and the report shall include, by institution, the
25 amounts transferred, ~~and~~ the reasons therefor and the source of the funds.

26
27 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STUDENT
29 UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the Student
30 Undergraduate Research Fellowship (SURF) Program is the continued development
31 of undergraduate academic research efforts at Arkansas colleges and
32 universities. The Arkansas Department of Higher Education shall adopt rules
33 and regulations necessary for the proper administration of the Student
34 Undergraduate Research Fellowship Program. Administrative functions and
35 responsibilities may include, but not necessarily be limited to, the
36 development of eligibility criteria, collection of applications, coordination

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

8
9 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
10 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COOPERATION
11 AGREEMENTS. Any two-year institution of Higher Education that has its main or
12 a satellite campus located within a twenty five mile radius of any four-year
13 institution of higher education shall enter into a written agreement with
14 that four-year institution which must address duplication of services between
15 the institutions.

16 The provisions of this section shall be in effect only from July 1, 2005
17 through June 30, 2007.

18
19 SECTION 34. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
20 by this act shall be limited to the appropriation for such agency and funds
21 made available by law for the support of such appropriations; and the
22 restrictions of the State Procurement Law, the General Accounting and
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
24 Procedures and Restrictions Act, or their successors, and other fiscal
25 control laws of this State, where applicable, and regulations promulgated by
26 the Department of Finance and Administration, as authorized by law, shall be
27 strictly complied with in disbursement of said funds.

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

1
2 SECTION 36. EMERGENCY CLAUSE. It is found and determined by the General
3 Assembly, that the Constitution of the State of Arkansas prohibits the
4 appropriation of funds for more than a two (2) year period; that the
5 effectiveness of this Act on July 1, 2005 is essential to the operation of
6 the agency for which the appropriations in this Act are provided, and that in
7 the event of an extension of the Regular Session, the delay in the effective
8 date of this Act beyond July 1, 2005 could work irreparable harm upon the
9 proper administration and provision of essential governmental programs.
10 Therefore, an emergency is hereby declared to exist and this Act being
11 necessary for the immediate preservation of the public peace, health and
12 safety shall be in full force and effect from and after July 1, 2005.

13
14 */s/ Joint Budget Committee*

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17 *APPROVED: 4/13/2005*
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