

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 1229 of the Regular Session**

1 State of Arkansas *As Engrossed: S2/19/07 S3/12/07 S3/19/07 S3/26/07 S3/28/07*

2 86th General Assembly

**A Bill**

3 Regular Session, 2007

SENATE BILL 194

4

5 By: Joint Budget Committee

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**For An Act To Be Entitled**

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AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL

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SERVICES AND OPERATING EXPENSES FOR THE

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DEPARTMENT OF HIGHER EDUCATION FOR THE BIENNIAL

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PERIOD ENDING JUNE 30, 2009; AND FOR OTHER

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PURPOSES.

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**Subtitle**

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AN ACT FOR THE DEPARTMENT OF HIGHER

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EDUCATION APPROPRIATION FOR THE

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2007-2009 BIENNIUM.

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

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SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby

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established for the Department of Higher Education for the 2007-2009

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biennium, the following maximum number of regular employees whose salaries

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shall be governed by the provisions of the Uniform Classification and

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Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and

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all laws amendatory thereto. Provided, however, that any position to which a

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specific maximum annual salary is set out herein in dollars, shall be exempt

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from the provisions of said Uniform Classification and Compensation Act. All

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persons occupying positions authorized herein are hereby governed by the

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provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas

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Code §21-5-101), or its successor.

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				Maximum	Maximum Annual	
				No. of	Salary Rate	
	Item	Class		Fiscal	Years	
	No.	Code	Title	Employees	2007-2008	2008-2009
5	(1)	9960	HIGHER ED DIRECTOR	1	\$133,937	\$136,615
6	(2)	7243	HIGHER EDUCATION DEPUTY DIRECTOR	1	\$124,289	\$126,774
7	(3)	9773	HIGHER ED SENIOR ASSOC DIR	1	\$114,080	\$116,361
8	(4)	9358	TANF PROGRAM DIRECTOR	1	\$101,699	\$103,732
9	(5)	9922	DHE ASSOC DIR FOR ACADEMIC AFFAIRS	1	\$99,080	\$101,061
10	(6)	9774	HIGHER ED ASSOC DIR FOR FISCAL AFF	1	\$99,080	\$101,061
11	(7)	9505	DHE GENERAL COUNSEL	1	\$89,760	\$91,555
12	(8)	9978	ASST DIR FOR PLNG & ACCOUNTABILITY	1	\$84,620	\$86,312
13	(9)	9090	HE ASST DIR OF INFO SERVICES	1	\$84,620	\$86,312
14	(10)	9983	HIGHER ED COORDINATOR OF Y.O.U. PGM	1	\$76,145	\$77,667
15	(11)	9966	HIGHER ED STUDENT FIN AID MANAGER	1	\$76,145	\$77,667
16	(12)	9965	HIGHER ED COORD OF ACADEMIC PROGRAM	1	\$76,145	\$77,667
17	(13)	9623	H E COORD OF INSTITUTIONAL FINANCE	1	\$76,145	\$77,667
18	(14)	9288	HIGHER ED COORD. OF RECRUITMENT	1	\$76,145	\$77,667
19	(15)	9242	HE COORD OF FINANCIAL AID	1	\$76,145	\$77,667
20	(16)	9093	HE COORD 2-YR INST FINANCE	1	\$76,145	\$77,667
21	(17)	9092	HE COORD OF GENERAL ADMIN	1	\$76,145	\$77,667
22	(18)	9059	HIGHER ED COORD OF HEALTH EDUCATION	1	\$76,145	\$77,667
23	(19)	9022	HE COORD ACADEMIC CERTIFICATION	1	\$76,145	\$77,667
24	(20)	7091	DHE COORD OF FEDERAL PROGRAMS	2	\$76,145	\$77,667
25	(21)	9716	HE COORDINATOR OF COMMUNICATIONS	1	\$75,629	\$77,141
26	(22)	9361	TANF FINANCE INTERNAL AUDITOR	1	\$64,680	\$65,973
27	(23)	9360	TANF CURRICULUM COORDINATOR	1	\$64,680	\$65,973
28	(24)	9359	TANF DATA RESEARCH ANALYST	1	\$64,680	\$65,973
29	(25)	9362	TANF EMPLOYABILITY CERTIFICATION CO	1	\$54,088	\$55,169
30	(26)	A252	DHE FINANCIAL MANAGER	3	GRADE	24
31	(27)	D064	SR SYSTEMS PROGRAMMER	1	GRADE	24
32	(28)	R096	HIGHER ED ASST COORD STUD FIN AID	4	GRADE	24
33	(29)	A032	AGENCY FISCAL MANAGER	1	GRADE	22
34	(30)	R088	HIGHER ED FINANCIAL OFFICER	1	GRADE	22
35	(31)	D036	SR PROGRAMMER/ANALYST	1	GRADE	21
36	(32)	R240	DHE DATA COLLECTION ANALYST	2	GRADE	20

1	(33)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20
2	(34)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
3	(35)	R444	BUSINESS CONTROLLER I	1	GRADE 15
4	(36)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
5	(37)	K153	SECRETARY II	<u>4</u>	GRADE 13
6			MAX. NO. OF EMPLOYEES	48	

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 8 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby authorized,  
 9 for the Department of Higher Education for the 2007-2009 biennium, the  
 10 following maximum number of part-time or temporary employees, to be known as  
 11 "Extra Help", payable from funds appropriated herein for such purposes: nine  
 12 (9) temporary or part-time employees, when needed, at rates of pay not to  
 13 exceed those provided in the Uniform Classification and Compensation Act, or  
 14 its successor, or this act for the appropriate classification.

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 16 SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby  
 17 appropriated, to the Department of Higher Education, to be payable from the  
 18 Department of Higher Education Fund Account, for personal services, operating  
 19 expenses and grants of the Department of Higher Education for the biennial  
 20 period ending June 30, 2009, the following:

22	ITEM		FISCAL YEARS	
23	<u>NO.</u>		<u>2007-2008</u>	<u>2008-2009</u>
24	(01)	REGULAR SALARIES	\$ 2,184,993	\$ 2,228,693
25	(02)	EXTRA HELP	25,000	25,000
26	(03)	PERSONAL SERVICES MATCHING	607,411	616,697
27	(04)	MAINT. & GEN. OPERATION		
28	(A)	OPER. EXPENSE	517,814	522,814
29	(B)	CONF. & TRAVEL	30,000	30,000
30	(C)	PROF. FEES	15,000	15,000
31	(D)	CAP. OUTLAY	20,000	20,000
32	(E)	DATA PROC.	0	0
33	(05)	YOUTH OPPORTUNITIES UNLIMITED		
34		GRANTS/AIDS	<u>75,000</u>	<u>75,000</u>
35		TOTAL AMOUNT APPROPRIATED	<u>\$ 3,475,218</u>	<u>\$ 3,533,204</u>

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1 SECTION 4. APPROPRIATION - STUDENT ASSISTANCE GRANTS AND VARIOUS  
 2 SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher  
 3 Education, to be payable from the Higher Education Grants Fund Account, for  
 4 providing student assistance grants and various scholarships as provided by  
 5 law by the Department of Higher Education for the biennial period ending June  
 6 30, 2009, the following:

ITEM NO.		FISCAL YEARS	
		2007-2008	2008-2009
(01)	NATIONAL GUARD TUITION ASSISTANCE PROG	500,000	\$ 500,000
(02)	SECOND EFFORT SCHOLARSHIPS	30,000	40,000
(03)	SREB MINORITY DOCTORAL SCHOLARS	200,000	200,000
(04)	TUITION ADJUSTMENT	350,000	350,000
(05)	STATE TEACHER ASSISTANCE RESOURCE PROGRAM	3,081,717	3,581,717
(06)	AR ACADEMIC CHALLENGE SCHOLARSHIPS	30,174,734	30,174,734
(07)	ARKANSAS GOVERNOR'S SCHOLARS	9,625,000	10,750,000
(08)	STUDENT UNDERGRADUATE RESEARCH FELLOWSHIP PROGRAM (SURF)	153,987	153,987
(09)	TEACHER OPPORTUNITY PROGRAM	2,000,000	2,000,000
(10)	WORKFORCE IMPROVEMENT GRANTS	3,710,345	3,710,345
(11)	AR GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIPS	200,000	200,000
(12)	DEPENDENTS OF LAW ENFORCEMENT OFFICERS, ETC SCHOLARSHIPS	250,000	250,000
(13)	DEPENDENTS OF POWS, MIAS, KIAS- TUITION WAIVER SCHOLARSHIPS	250,000	250,000
(14)	FACULTY/ADMINISTRATOR DEVELOPMENT FELLOWS MATCHING	30,000	30,000
(15)	JR/SR MINORITY TEACHER SCHOLARSHIPS	300,000	300,000
(16)	MINORITY MASTERS FELLOWS	280,000	280,000
(17)	HIGHER EDUCATION OPPORTUNITIES GRANTS	7,200,000	11,200,000
(18)	WASHINGTON CENTER SCHOLARSHIPS	<u>120,000</u>	<u>120,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 58,455,783</u>	<u>\$ 64,090,783</u>

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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, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) GRANTS AND AID-STATE SCHOLARSHIPS-FEDERAL	\$ 185,000	\$ 185,000

SECTION 6. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS. 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 personal services and operating expenses of the Department of Higher Education - Technical Education - Federal Programs for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 127,857	\$ 130,414
(02) PERSONAL SERVICES MATCHING	34,290	34,809
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	85,711	85,711
(B) CONF. & TRAVEL	19,000	19,000
(C) PROF. FEES	73,717	73,717
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>340,575</u>	\$ <u>343,651</u>

SECTION 7. APPROPRIATION - IMPROVING TEACHER QUALITY. There is hereby appropriated, to the Department of Higher Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses and grants-in-aid of the Department of Higher Education - Improving Teacher Quality Program for the biennial period ending June 30, 2009, the following:

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ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 26,856	\$ 26,856
(B) CONF. & TRAVEL	13,000	13,000
(C) PROF. FEES	8,000	8,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) IMPROVING TEACHER QUALITY GRANTS/AID	<u>1,517,402</u>	<u>1,517,402</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,565,258</u>	<u>\$ 1,565,258</u>

SECTION 8. APPROPRIATION - HIGHER EDUCATION BUILDING MAINTENANCE. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Building Maintenance Fund, for maintenance of various buildings at the Institutions of Higher Education by the Department of Higher Education for the biennial period ending June 30, 2009, the sum of .....\$645,826.

SECTION 9. APPROPRIATION - RESEARCH DEVELOPMENT PROGRAM. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Research Development Fund, for providing Arkansas Research Development Program Grants to Institutions of Higher Education by the Department of Higher Education for the biennial period ending June 30, 2009, the sum of .....\$2,000,000.

SECTION 10. APPROPRIATION - HEALTH EDUCATION GRANTS AND LOANS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Grants Fund Account, for payments of the contracts with participating out-of-state institutions of higher learning in the fields of dentistry, optometry, osteopathy, veterinary medicine, chiropractic and podiatry for the education of Arkansas citizens by of the Department of Higher Education for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>

1	(01)	CHIROPRACTIC AID	\$	260,000	\$	260,000
2	(02)	DENTAL AID - GRANTS		1,610,000		1,610,000
3	(03)	OPTOMETRY AID		341,600		341,600
4	(04)	OSTEOPATHY AID		179,800		179,800
5	(05)	PODIATRY AID		111,800		111,800
6	(06)	VETERINARY AID		913,347		913,347
7	(07)	DENTAL AID - LOANS		<u>360,000</u>		<u>360,000</u>
8		TOTAL AMOUNT APPROPRIATED	\$	<u>3,776,547</u>	\$	<u>3,776,547</u>

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10 SECTION 11. APPROPRIATION - CASH. There is hereby appropriated, to the  
 11 Department of Higher Education, to be payable from the cash fund deposited in  
 12 the State Treasury as determined by the Chief Fiscal Officer of the State,  
 13 for operating expenses of the Department of Higher Education for the biennial  
 14 period ending June 30, 2009, the following:

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16	ITEM		FISCAL YEARS	
17	<u>NO.</u>		<u>2007-2008</u>	<u>2008-2009</u>
18	(01) MAINT. & GEN. OPERATION			
19	(A) OPER. EXPENSE	\$	4,380	\$ 4,380
20	(B) CONF. & TRAVEL		0	0
21	(C) PROF. FEES		0	0
22	(D) CAP. OUTLAY		0	0
23	(E) DATA PROC.		<u>0</u>	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	\$	<u>4,380</u>	\$ <u>4,380</u>

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26 SECTION 12. APPROPRIATION - ELEMENTARY SCIENCE SPECIALIST PROGRAM. There  
 27 is hereby appropriated, to the Department of Higher Education, to be payable  
 28 from the Higher Education Grants Fund Account, for grants for the Elementary  
 29 Science Specialist Program of the Department of Higher Education - Elementary  
 30 Science Specialist Program for the biennial period ending June 30, 2009, the  
 31 following:

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33	ITEM		FISCAL YEARS	
34	<u>NO.</u>		<u>2007-2008</u>	<u>2008-2009</u>
35	(01) INSTITUTIONAL INITIATIVES GRANTS	\$	<u>570,303</u>	\$ <u>570,303</u>

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SECTION 13. APPROPRIATION - TANF PROGRAM - 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 personal services and operating expenses of the Department of Higher Education - TANF Program - Federal for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 386,011	\$ 393,727
(02) EXTRA HELP	25,000	25,000
(03) PERSONAL SERVICES MATCHING	105,294	106,858
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	257,000	257,000
(B) CONF. & TRAVEL	20,000	20,000
(C) PROF. FEES	65,000	65,000
(D) CAP. OUTLAY	10,000	10,000
(E) DATA PROC.	0	0
(05) SELF SUFFICIENCY/JOB TRAINING GRANTS	<u>11,644,793</u>	<u>11,644,793</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 12,513,098</u>	<u>\$ 12,522,378</u>

SECTION 14. SPECIAL LANGUAGE. Arkansas Code Annotated 6-62-104, concerning Transfer of appropriation, is repealed.

~~Unless otherwise provided by law, each state supported institution of higher education may transfer appropriations between the various line items within each appropriation contained in its biennial appropriation act. However, such transfers shall be made only after the approval of the Department of Higher Education and the Chief Fiscal Officer of the State, and after seeking the advice of the Legislative Council.~~

SECTION 15. SPECIAL LANGUAGE. Arkansas Code Annotated 6-63-310, concerning Reorganization and consolidation of administrative functions, is repealed:

~~(a) Upon determination by the President of the University of Arkansas that a reallocation of resources for purposes of reorganization or~~

1 ~~consolidation of administrative functions within the University of Arkansas~~  
2 ~~is necessary for efficient and effective operations of the university, the~~  
3 ~~president, with approval of the Board of Trustees of the University of~~  
4 ~~Arkansas, may have the authority to transfer positions and related funds~~  
5 ~~between campuses, divisions, and other budgetary units of the university.~~

6 ~~(b)(1) The transfers of positions, programs, or activities shall be used~~  
7 ~~for those purposes for which the appropriations were approved by the General~~  
8 ~~Assembly.~~

9 ~~(2) The reallocation of resources through consolidation or reorganization~~  
10 ~~may include the Graduate Institute of Technology, provided that the~~  
11 ~~appropriated funds or positions for this program shall not be transferred~~  
12 ~~from the central Arkansas area.~~

13 ~~(3) The transfers, consolidation, or reorganization which involve academic~~  
14 ~~programs shall be reviewed by the Department of Higher Education and the~~  
15 ~~Legislative Council.~~

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17 SECTION 16. SPECIAL LANGUAGE. Arkansas Code Annotated 6-65-225, concerning  
18 Consolidation of administrative functions, is repealed:

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20 ~~(a) Upon determination by the President of Arkansas State University~~  
21 ~~that a reallocation of resources for purposes of reorganization or~~  
22 ~~consolidation of administrative functions within the university is necessary~~  
23 ~~for efficient and effective operations of the university, the president, with~~  
24 ~~approval of the Board of Trustees of Arkansas State University, may have the~~  
25 ~~authority to transfer positions, appropriations, and related funds between~~  
26 ~~campuses, divisions, branches, and other budgetary units of the university.~~

27 ~~(b) The transfers of positions, programs, or activities shall be used~~  
28 ~~for those purposes for which the appropriations were approved by the General~~  
29 ~~Assembly.~~

30 ~~(c) The transfers, consolidation, or reorganization which involve~~  
31 ~~academic programs shall be reviewed by the Department of Higher Education and~~  
32 ~~the Legislative Council.~~

33  
34 SECTION 17. SPECIAL LANGUAGE. Arkansas Code Annotated 6-62-309, concerning  
35 Bonds or notes - Liability, is amended by adding a subsection:

1 (c) Upon a determination of the board of trustees that a reallocation of  
2 resources is necessary for the purposes of preventing a default on its  
3 indebtedness, the board of trustees has specific authority to transfer funds  
4 between and among campuses, divisions and other budgetary units of its  
5 institution of higher education. Upon exercising the authority to reallocate  
6 resources as provided by this section, the board of trustees shall report the  
7 reasons for, and the details of, such reallocations to the Legislative  
8 Council or Joint Budget Committee immediately thereafter.

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10 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
11 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMERGENCY  
12 GRANTS & EXTRA HELP POOL. An Institution of higher education that suffers an  
13 emergency/disaster event resulting in all or a significant portion of campus  
14 operations being interrupted, may request disaster assistance through the  
15 Arkansas Department of Higher Education. Upon the declaration of an  
16 emergency by the Governor, the institution may request, subject to the  
17 recommendation of the Director of the Department of Higher Education and  
18 approval of the Governor, a grant from the Disaster Relief Fund to assist in  
19 returning that campus to operation and/or to a sister campus providing  
20 services to the students from the affected campus. Certified law enforcement  
21 officers employed by an institution of higher education may be granted  
22 jurisdiction at the sister institution, upon agreement of both institutions.

23 The Department of Higher Education is authorized a pool of 500 extra  
24 help positions for use in such emergency situations. These positions may be  
25 assigned to the campus suffering the disaster event or to a sister campus  
26 providing services to the students from the affected campus. The Governor  
27 may waive the 1500 hour limit of ACA 6-63-314 on these assigned extra help  
28 pool positions.

29 The provisions of this section shall be in effect only from July 1, 2007  
30 through June 30, 2009.

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32 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
34 REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon  
35 determination by the president or chancellor of an institution of higher  
36 education that a reallocation of resources for purposes of reorganization or

1 consolidation of administrative functions within the institution is necessary  
2 for efficient and effective operations of the institution, the president or  
3 chancellor, with approval of the institution's board of trustees, may have  
4 the authority to transfer positions, appropriations and related funds between  
5 campuses, divisions, branches, and other budgetary units of the institution,  
6 after receiving prior approval of the Legislative Council or Joint Budget  
7 Committee. The transfers of positions, programs, or activities shall be used  
8 for those purposes for which the appropriations were approved by the General  
9 Assembly. The transfers, consolidations, or reorganizations which involve  
10 academic programs shall be reviewed by the Department of Higher Education  
11 prior to submission to the Legislative Council or Joint Budget Committee.  
12 Provided, however, that the institution shall be limited to submitting no  
13 more than four (4) individual transaction transfer requests during any fiscal  
14 year and shall be further limited to no more than five percent (5%) of the  
15 total General Revenue and Special Revenue appropriation, funding, positions  
16 specific to each institution, and no Tobacco Settlement funds or  
17 appropriations may be reallocated pursuant to this section.

18 Determining the maximum number of employees and the maximum amount of  
19 appropriation and general revenue funding for institutions of higher  
20 education each fiscal year is the prerogative of the General Assembly. This  
21 is usually accomplished by delineating such maximums in the appropriation  
22 act(s) for institutions of higher education and the general revenue  
23 allocations authorized for each fund and fund account by amendment to the  
24 Revenue Stabilization law. Further, the General Assembly has determined that  
25 institutions of higher education may operate more efficiently if some  
26 flexibility is provided to institutions of higher education authorizing broad  
27 powers under this Section. Therefore, it is both necessary and appropriate  
28 that the General Assembly maintain oversight by requiring prior approval of  
29 the Legislative Council or Joint Budget Committee as provided by this  
30 section. The requirement of approval by the Legislative Council or Joint  
31 Budget Committee is not a severable part of this section. If the requirement  
32 of approval by the Legislative Council or Joint Budget Committee is ruled  
33 unconstitutional by a court of competent jurisdiction, this entire section is  
34 void.

35 The provisions of this section shall be in effect only from July 1, 2007  
36 through June 30, 2009.

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2 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR  
3 PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INSTITUTIONS' POSITIONS  
4 ANALYSIS/REPORT. In order to appropriately allocate and maximize efficient use of authorized positions, each  
5 institution of higher education shall conduct an analysis of all positions authorized in its respective appropriation  
6 acts. This analysis must address the utilization of positions, the ability to competitively recruit and retain  
7 employees, and any other personnel related issue that affects the institution's ability to effectively manage its human  
8 resources. Prior to the budget preparations for the 2009-2011 Biennium, but not later than August 31, 2007, a  
9 report of the analysis shall be made to the Personnel Subcommittee of the Arkansas Legislative Council or the Joint  
10 Budget Committee. Included in that report shall be recommendations for reduction or elimination of positions that  
11 are not used, are not needed, or are no longer suitable for use. The number of retained positions must be  
12 historically accurate and be a programmatically defensible level for each institution. Additionally, the report shall  
13 include recommendations for adequate position authorizations which may include new or additional positions,  
14 titles, grades, salary ranges, or other personnel related issues that may require legislative action. Any  
15 recommendation for salary level adjustment must be based on prevailing wage data published by the Arkansas  
16 Department of Labor for the geographical area in which each institution is located or other appropriate market  
17 data. The review and analysis shall be coordinated by the Arkansas Department of Higher Education, which will  
18 compile, prepare, and submit the final report.

19 The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.  
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21 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOANS. In  
23 order to provide timely payments under financial aid appropriations made in  
24 this Act, the Chief Fiscal Officer of the State is authorized to provide  
25 loans from the Budget Stabilization Trust Fund to make available all funds  
26 attributable to the financial aid programs under the then current official  
27 revenue estimates. In the event of an unanticipated state revenue shortfall,  
28 any such loans remaining at the end of a fiscal year shall be repaid from  
29 revenues distributed in the first two months of the next fiscal year. Funds  
30 for appropriations made in this Act for purposes other than financial aid  
31 shall not be affected by the application of this provision.

32 The provisions of this section shall be in effect only from July 1, 2005  
33 2007 through June 30, ~~2007~~ 2009.  
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35 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORK

1 FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made  
2 available to the various technical colleges have been determined as set out  
3 in Arkansas Code 26-51-205(d)(2), such documents as may be necessary shall be  
4 processed so that funds may be transferred from the Work Force 2000  
5 Development Fund to the State Treasury fund or fund account from which the  
6 technical college draws its general revenue support. Such funds as may be  
7 transferred shall not exceed 93.69% of the total funds available from the  
8 Work Force 2000 Development Fund during each fiscal year of the biennial  
9 period ending June 30, ~~2007~~ 2009.

10 In the event that a technical institute or comprehensive lifelong learning  
11 center which receives support from the Work Force 2000 Development Fund as  
12 determined by law transfers or merges into the Arkansas Technical College and  
13 Community College System for which Work Force 2000 Development Fund monies  
14 are determined by law, then the actual amount of support from the Work Force  
15 2000 Development Fund in the preceding fiscal year for such educational  
16 institution shall be made available irrespective of any other provision of  
17 law which sets out maximum levels of support from such fund.

18 The provisions of this section shall be in effect only from July 1, ~~2005~~  
19 2007 through June 30, ~~2007~~ 2009.

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

27 The provisions of this section shall be in effect only from July 1, ~~2005~~  
28 2007 through June 30, ~~2007~~ 2009.

29  
30 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO  
32 EXPENDITURES. Proceeds derived from the repayment of loans as authorized in  
33 Items ~~(07), (02), (03) and (08)~~ (15), (16) and (05) of Section 4 of this Act  
34 for ~~the Emergency Secondary Education Loans~~, the JR/SR Minority Teacher  
35 Scholars, the Minority Masters Fellows and the ~~Targeted Teacher Development~~  
36 ~~Program~~ State Teacher Assistance Resource Program shall be deposited into the

1 State Treasury as "Refunds to Expenditures."

2 The provisions of this section shall be in effect only from July 1, 2005  
3 2007 through June 30, ~~2007~~ 2009.

4  
5 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
7 FORWARD. The balance of the funds and appropriations as provided in Section  
8 4 of this Act for the Governor's Scholars Program and the Academic Challenge  
9 Scholarships Program which remain on June 30, ~~2006~~ 2008, shall be carried  
10 forward and made available for the same purpose for the fiscal year ending  
11 June 30, ~~2007~~ 2009.

12

13 Any carry forward of unexpended balance of appropriation and/or funding as  
14 authorized herein, may be carried forward under the following conditions:

15

16 (1) Prior to June 30, 2008 the Agency shall by written statement set forth  
17 its reason(s) for the need to carry forward said appropriation and/or funding  
18 to the Department of Finance and Administration Office of Budget;

19

20 (2) The Department of Finance and Administration Office of Budget shall  
21 report to the Arkansas Legislative Council all amounts carried forward from  
22 the first fiscal year of the biennium to the second fiscal year of the  
23 biennium by the September Arkansas Legislative Council or Joint Budget  
24 Committee meeting in the second fiscal year of the biennial period which  
25 report shall include the name of the Agency, Board, Commission or Institution  
26 and the amount of the appropriation and/or funding carried forward from the  
27 first fiscal year to the second fiscal year, the program name or line item,  
28 the funding source of that appropriation and a copy of the written request  
29 set forth in (1) above;

30

31 (3) Each Agency, Board, Commission or Institution shall provide a written  
32 report to the Arkansas Legislative Council or Joint Budget Committee  
33 containing all information set forth in item (2) above, along with a written  
34 statement as to the current status of the project, contract, purpose etc. for  
35 which the carry forward was originally requested no later than thirty (30)  
36 days prior to the time the Agency, Board, Commission or Institution presents

1 its budget request to the Arkansas Legislative Council/Joint Budget  
2 Committee; and

3  
4 (4) Thereupon, the Department of Finance and Administration shall include  
5 all information obtained in item (3) above in the biennial budget manuals  
6 and/or a statement of non-compliance by the Agency, Board, Commission or  
7 Institution.

8  
9 The provisions of this section shall be in effect only from July 1, 2005  
10 2007 through June 30, ~~2007~~ 2009.

11  
12 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NATIONAL  
14 GUARD TUITION ASSISTANCE PROGRAM. In addition to any other provisions of law,  
15 any student who receives assistance from the appropriation made for the  
16 "National Guard Tuition Assistance Program" in this Act shall repay any loans  
17 and/or assistance if the student receives a discharge that is a less than  
18 Honorable Discharge. Priority for funding shall be given to students already  
19 receiving assistance from the National Guard Tuition Assistance Program.

20 The provisions of this section shall be in effect only from July 1, 2005  
21 2007 through June 30, ~~2007~~ 2009.

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

31 The provisions of this section shall be in effect only from July 1, 2005  
32 2007 through June 30, ~~2007~~ 2009.

33  
34 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE  
36 SAVINGS BONDS. The Department of Higher Education shall adopt rules and

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

17 The provisions of this section shall be in effect only from July 1, ~~2005~~  
18 2007 through June 30, ~~2007~~ 2009.

19

20 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE  
22 SAVINGS BONDS LIMITATIONS. The total principal amount of bonds to be issued  
23 during any fiscal biennium shall not exceed three-hundred million dollars  
24 (\$300,000,000), nor shall the principal amount of bonds outstanding at any  
25 time have debt service requirements in excess of twenty-four million dollars  
26 (\$24,000,000) in any one fiscal year from all state revenue sources.

27 The provisions of this section shall be in effect only from July 1, ~~2005~~  
28 2007 through June 30, ~~2007~~ 2009.

29

30 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
32 FORWARD - HEALTH EDUCATION GRANTS. The balance of the funds and  
33 appropriations as provided for "Health Education Grants" in this Act which  
34 remain on June 30, ~~2006~~ 2008, shall be carried forward and made available for  
35 the same purposes for the fiscal year ending June 30, ~~2007~~ 2009.

36

1 Any carry forward of unexpended balance of appropriation and/or funding as  
2 authorized herein, may be carried forward under the following conditions:

3  
4 (1) Prior to June 30, 2008 the Agency shall by written statement set forth  
5 its reason(s) for the need to carry forward said appropriation and/or funding  
6 to the Department of Finance and Administration Office of Budget;

7  
8 (2) The Department of Finance and Administration Office of Budget shall  
9 report to the Arkansas Legislative Council all amounts carried forward from  
10 the first fiscal year of the biennium to the second fiscal year of the  
11 biennium by the September Arkansas Legislative Council or Joint Budget  
12 Committee meeting in the second fiscal year of the biennial period which  
13 report shall include the name of the Agency, Board, Commission or Institution  
14 and the amount of the appropriation and/or funding carried forward from the  
15 first fiscal year to the second fiscal year, the program name or line item,  
16 the funding source of that appropriation and a copy of the written request  
17 set forth in (1) above;

18  
19 (3) Each Agency, Board, Commission or Institution shall provide a written  
20 report to the Arkansas Legislative Council or Joint Budget Committee  
21 containing all information set forth in item (2) above, along with a written  
22 statement as to the current status of the project, contract, purpose etc. for  
23 which the carry forward was originally requested no later than thirty (30)  
24 days prior to the time the Agency, Board, Commission or Institution presents  
25 its budget request to the Arkansas Legislative Council/Joint Budget  
26 Committee; and

27  
28 (4) Thereupon, the Department of Finance and Administration shall include  
29 all information obtained in item (3) above in the biennial budget manuals  
30 and/or a statement of non-compliance by the Agency, Board, Commission or  
31 Institution.

32  
33 The provisions of this section shall be in effect only from July 1, 2005  
34 2007 through June 30, ~~2007~~ 2009.

35  
36 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH  
2 EDUCATION GRANTS - PRIORITIES. The Arkansas Higher Education Coordinating  
3 Board, after consulting with the recognized associations of each of the  
4 applicable medical professions and other interested persons, shall determine  
5 the priorities for the applicable programs enumerated in the appropriation  
6 made for "Health Education Grants and Loans" in this Act. The Arkansas  
7 Department of Higher Education, if necessary, shall re-adjust the number of  
8 positions for entering students to be funded for each applicable program  
9 based upon the priorities determined by the board.

10 The provisions of this section shall be in effect only from July 1, ~~2005~~  
11 2007 through June 30, ~~2007~~ 2009.

12  
13 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FINANCIAL  
15 AID PROGRAMS REPORTING. The Arkansas Department of Higher Education shall  
16 report by May 30 to the House and Senate Interim Committees on Education the  
17 budgeted allocation for each financial aid program funded through the Higher  
18 Education Grants Fund Account for the upcoming fiscal year and projections  
19 for the following year.

20 The provisions of this section shall be in effect only from July 1, ~~2005~~  
21 2007 through June 30, ~~2007~~ 2009.

22  
23 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
25 AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that  
26 receives state scholarship funds administered by the Arkansas Department of  
27 Higher Education shall be subject to audit/review of such funds by the  
28 Division of Legislative Audit, upon approval of the Legislative Joint Audit  
29 Committee.

30 The provisions of this section shall be in effect only from July 1, ~~2005~~  
31 2007 through June 30, ~~2007~~ 2009.

32  
33 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AUDIT  
35 DATA. All post-secondary institutions shall provide to the Arkansas  
36 Department of Higher Education a copy of the Integrated Post-Secondary

1 Education Data System (IPEDS) within three weeks following the IPEDS due  
2 date, which shall be subject to audit by the Arkansas Department of Higher  
3 Education.

4 The provisions of this section shall be in effect only from July 1, ~~2005~~  
5 2007 through June 30, ~~2007~~ 2009.

6  
7 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
9 APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY  
10 TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of  
11 Higher Education shall determine the amount available, up to \$200,000 per  
12 fiscal year, to fund the Arkansas Geographical Critical Needs Minority  
13 Teacher Scholarships and shall certify to the Chief Fiscal Officer of the  
14 State and the State Treasurer such amount as is required to be transferred  
15 from the Higher Education Grants Fund Account. Upon receiving such  
16 certification, the Chief Fiscal Officer of the State and the State Treasurer  
17 shall cause to be transferred the necessary funds and appropriation to the  
18 fund account of the University of Arkansas at Pine Bluff for implementation  
19 of this program. The University of Arkansas at Pine Bluff may use up to  
20 twenty percent (20%) of the funds and appropriation for administration of the  
21 program.

22 The provisions of this section shall be in effect only from July 1, ~~2005~~  
23 2007 through June 30, ~~2007~~ 2009.

24  
25 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
27 FOR SALARY INCREASES. New funding through the Revenue Stabilization Act  
28 determined by the Arkansas Department of Higher Education to have been for  
29 salary increases for each year of the ~~2005-2007~~ 2007-2009 Biennium for  
30 Institutions of Higher Education shall be used exclusively for salary  
31 increases. New funding actually received for salary increases shall be spent  
32 exclusively for salary increases based upon the state general revenue portion  
33 of total unrestricted educational and general revenue. Funding received under  
34 this provision shall be used for no purpose other than to provide such salary  
35 increases. Any designated funds not used for salary increases shall be  
36 recouped at the end of each fiscal year and transferred to the General

1 Revenue Allotment Reserve Fund.

2 The provisions of this section shall be in effect only from July 1, ~~2005~~  
3 2007 through June 30, ~~2007~~ 2009.

4

5 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HIGHER  
7 EDUCATION COORDINATOR OF RECRUITMENT FUNDING: The Chief Fiscal Officer of the  
8 State shall transfer the sums of ninety thousand, four hundred seventy-four  
9 dollars (\$90,474) for fiscal year ending June 30, ~~2006~~ 2008 and ninety-two  
10 thousand, seven hundred seventy-six dollars (\$92,776) for fiscal year ending  
11 June 30, ~~2007~~ 2009 from the Higher Education Grants Fund Account to the  
12 Department of Higher Education Fund Account in order to finance the personal  
13 services costs of the Higher Education Coordinator of Recruitment.

14 The provisions of this section shall be in effect only from July 1, ~~2005~~  
15 2007 through June 30, ~~2007~~ 2009.

16

17 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
19 PROVISION. Upon certification by the Director of the Department of Higher  
20 Education that transfers are needed to make maximum utilization of funds and  
21 appropriations provided for financial aid programs, and with the approval of  
22 the Chief Fiscal Officer of the State and a review by the Arkansas  
23 Legislative Council, funds and appropriations may be transferred between  
24 financial aid programs, except that funds and appropriations may not be  
25 transferred for such purposes from either the Governor's Scholars Program or  
26 the Academic Challenge Scholarships Program in excess of \$1,000,000 in the  
27 aggregate in either fiscal year. Any transfer restrictions contained in  
28 appropriation acts for the Department of Higher Education relating to  
29 appropriation transfers from Governor's Scholars Program and Academic  
30 Challenge Scholarships shall not be applicable to transfers between  
31 Governor's Scholars and Academic Challenge Scholarship appropriations.

32 The provisions of this section shall be in effect only from July 1, ~~2005~~  
33 2007 through June 30, ~~2007~~ 2009.

34

35 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

1 OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS.  
 2 Upon certification to and with the approval of the Chief Fiscal Officer of  
 3 the State, surplus funds and appropriations may be transferred between the  
 4 appropriations provided for "Health Education Grants" by this Act by the  
 5 ~~Eighty-Fifth~~ Eighty-Sixth General Assembly for Dental Aid, Optometry Aid,  
 6 Veterinary Aid, Podiatry Aid, Chiropractic Aid and Osteopathic Aid.

7 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 8 2007 through June 30, ~~2007~~ 2009.

9  
 10 *SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*

12 *CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a) Upon approval by  
 13 the Department of Higher Education and the Chief Fiscal Officer of the State,  
 14 institutions of higher education may transfer appropriation from the cash  
 15 contingency appropriation to any other appropriation made to the institution  
 16 from cash funds including the establishment of commitment items, and  
 17 ~~institutions~~ may transfer appropriation from the contingency appropriation  
 18 made payable from each institution's State Treasury Fund to the state  
 19 operations appropriation made payable from each institution's State Treasury  
 20 Fund including the establishment of commitment items, and may transfer  
 21 appropriation from the contingency appropriation made payable from the  
 22 Tobacco Settlement Program Fund Accounts to any other appropriation made to  
 23 the institution from Tobacco Settlement Program Fund Accounts including the  
 24 establishment of commitment items.*

25 *(b) Contingency appropriation transfers shall only establish and  
 26 supplement commitment items that were recommended by the Higher Education  
 27 Coordinating Board in the budget manuals presented to the Legislative Council  
 28 and Joint Budget Committee for the 2007-2009 Biennium.*

29 *~~(b)(c)~~ The ~~department~~ Department of Higher Education shall report ~~monthly~~  
 30 contingency appropriation transfers and the establishment of any commitment  
 31 items authorized by this Section for the 2007-2009 Biennium to the  
 32 Legislative Council or Joint Budget Committee for review during its July 2007  
 33 meeting. ~~these appropriation transfers, and the~~ The report shall include, by  
 34 institution, the establishment of, and the amounts transferred to, each  
 35 commitment item, the reasons therefor and the source of ~~the~~ funds.  
 36 Institutions shall submit contingency appropriation transfer and commitment*

1 item establishment requests for the 2007-2009 Biennium authorized by this  
2 Section to the Department of Higher Education no later than July 1, 2007.  
3 Upon the failure of an institution to submit the required information by the  
4 July 1, 2007 deadline, the Department of Higher Education shall immediately  
5 notify by written notification the chairpersons of the Legislative Council or  
6 Joint Budget Committee.

7 The provisions of this section shall be in effect only from July 1, 2007  
8 through June 30, 2009.

9  
10 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STUDENT  
12 UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the Student  
13 Undergraduate Research Fellowship (SURF) Program is the continued development  
14 of undergraduate academic research efforts at Arkansas colleges and  
15 universities. The Arkansas Department of Higher Education shall adopt rules  
16 and regulations necessary for the proper administration of the Student  
17 Undergraduate Research Fellowship Program. Administrative functions and  
18 responsibilities may include, but not necessarily be limited to, the  
19 development of eligibility criteria, collection of applications, coordination  
20 of student evaluations, distribution of public notices, and funding of grants  
21 for academic research purposes. Staff of the Arkansas Department of Higher  
22 Education shall administer this program. The Arkansas Department of Higher  
23 Education shall be authorized to expense costs associated with the  
24 administration of the program, from funds made payable from the Higher  
25 Education Grants Fund Account for the Student Undergraduate Research  
26 Fellowship Program as authorized in Section 4 of this Act.

27  
28 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
30 COOPERATION AGREEMENTS. Any two-year institution of Higher Education that has  
31 its main or a satellite campus located within a twenty five mile radius of  
32 any four-year institution of higher education shall enter into a written  
33 agreement with that four-year institution which must address duplication of  
34 services between the institutions.

35 The provisions of this section shall be in effect only from July 1, 2005  
36 2007 through June 30, 2007 2009.

1  
2 SECTION 43. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
3 by this act shall be limited to the appropriation for such agency and funds  
4 made available by law for the support of such appropriations; and the  
5 restrictions of the State Procurement Law, the General Accounting and  
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
7 Procedures and Restrictions Act, or their successors, and other fiscal  
8 control laws of this State, where applicable, and regulations promulgated by  
9 the Department of Finance and Administration, as authorized by law, shall be  
10 strictly complied with in disbursement of said funds.

11  
12 SECTION 44. LEGISLATIVE INTENT. It is the intent of the General Assembly  
13 that any funds disbursed under the authority of the appropriations contained  
14 in this act shall be in compliance with the stated reasons for which this act  
15 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
16 and Legislative Recommendations contained in the budget manuals prepared by  
17 the Department of Finance and Administration, letters, or summarized oral  
18 testimony in the official minutes of the Arkansas Legislative Council or  
19 Joint Budget Committee which relate to its passage and adoption.

20  
21 SECTION 45. EMERGENCY CLAUSE. It is found and determined by the General  
22 Assembly, that the Constitution of the State of Arkansas prohibits the  
23 appropriation of funds for more than a two (2) year period; that the  
24 effectiveness of this Act on July 1, 2007 is essential to the operation of  
25 the agency for which the appropriations in this Act are provided, and that in  
26 the event of an extension of the Regular Session, the delay in the effective  
27 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
28 proper administration and provision of essential governmental programs.  
29 Therefore, an emergency is hereby declared to exist and this Act being  
30 necessary for the immediate preservation of the public peace, health and  
31 safety shall be in full force and effect from and after July 1, 2007.

32  
33 /s/ Joint Budget Committee

34  
35 APPROVED: 4/5/2007