

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.

1 State of Arkansas
2 84th General Assembly
3 First Extraordinary Session, 2003
4

A Bill

Call Item 3
Act 25 of 2003
SENATE BILL 31

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES, OPERATING EXPENSES AND GRANTS FOR THE
11 DEPARTMENT OF HIGHER EDUCATION FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2005; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF HIGHER
17 EDUCATION APPROPRIATION FOR THE
18 2003-2005 BIENNIUM.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby
25 established for the Department of Higher Education - General Operations for
26 the 2003-2005 biennium, the following maximum number of regular employees
27 whose salaries shall be governed by the provisions of the Uniform
28 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
29 its successor, and all laws amendatory thereto. Provided, however, that any
30 position to which a specific maximum annual salary is set out herein in
31 dollars, shall be exempt from the provisions of said Uniform Classification
32 and Compensation Act. All persons occupying positions authorized herein are
33 hereby governed by the provisions of the Regular Salaries Procedures and
34 Restrictions Act (Arkansas Code §21-5-101), or its successor.
35

36 Maximum Annual



04302003JAD1655.JAD354

1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2003-2004	2004-2005
4	(1)	9960	HIGHER ED DIRECTOR	1	\$123,106	\$125,679
5	(2)	7243	HIGHER EDUCATION DEPUTY DIRECTOR	1	\$114,051	\$116,498
6	(3)	9773	HIGHER ED SENIOR ASSOC DIR	1	\$104,472	\$106,784
7	(4)	9922	DHE ASSOC DIR FOR ACADEMIC AFFAIRS	1	\$90,393	\$92,509
8	(5)	9774	HIGHER ED ASSOC DIR FOR FISCAL AFF	1	\$90,393	\$92,509
9	(6)	9978	ASST DIR FOR PLNG & ACCOUNTABILITY	1	\$76,966	\$78,828
10	(7)	9090	HE ASST DIR OF INFO SERVICES	1	\$76,966	\$78,828
11	(8)	9983	HIGHER ED COORDINATOR OF Y.O.U. PGM	1	\$69,113	\$70,826
12	(9)	9966	HIGHER ED STUDENT FIN AID MANAGER	1	\$69,113	\$70,826
13	(10)	9965	HIGHER ED COORD OF ACADEMIC PROGRAM	1	\$69,113	\$70,826
14	(11)	9623	H E COORD OF INSTITUTIONAL FINANCE	1	\$69,113	\$70,826
15	(12)	9242	HE COORD OF FINANCIAL AID	1	\$69,113	\$70,826
16	(13)	9093	HE COORD 2-YR INST FINANCE	1	\$69,113	\$70,826
17	(14)	9092	HE COORD OF GENERAL ADMIN	1	\$69,113	\$70,826
18	(15)	9059	HIGHER ED COORD OF HEALTH EDUCATION	1	\$69,113	\$70,826
19	(16)	9022	HE COORD ACADEMIC CERTIFICATION	1	\$69,113	\$70,826
20	(17)	7091	DHE COORD OF FEDERAL PROGRAMS	1	\$69,113	\$70,826
21	(18)	9716	HE COORDINATOR OF COMMUNICATIONS	1	\$68,634	\$70,339
22	(19)	A252	DHE FINANCIAL MANAGER	3	GRADE 24	
23	(20)	D064	SR SYSTEMS PROGRAMMER	1	GRADE 24	
24	(21)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
25	(22)	R088	HIGHER ED FINANCIAL OFFICER	1	GRADE 22	
26	(23)	R096	HIGHER ED ASST COORD STUD FIN AID	4	GRADE 22	
27	(24)	D036	SR PROGRAMMER/ANALYST	1	GRADE 21	
28	(25)	R240	DHE DATA COLLECTION ANALYST	2	GRADE 20	
29	(26)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
30	(27)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15	
31	(28)	R444	BUSINESS CONTROLLER I	1	GRADE 15	
32	(29)	K153	SECRETARY II	<u>4</u>	GRADE 13	
33			MAX. NO. OF EMPLOYEES	39		

34

35 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby authorized,
 36 for the Department of Higher Education - General Operations for the 2003-2005

1 biennium, the following maximum number of part-time or temporary employees,
 2 to be known as "Extra Help", payable from funds appropriated herein for such
 3 purposes: seven (7) temporary or part-time employees, when needed, at rates
 4 of pay not to exceed those provided in the Uniform Classification and
 5 Compensation Act, or its successor, or this act for the appropriate
 6 classification.

7

8 SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby
 9 appropriated, to the Department of Higher Education, to be payable from the
 10 Department of Higher Education Fund Account, for personal services, operating
 11 expenses and grants of the Department of Higher Education for the biennial
 12 period ending June 30, 2005, the following:

13

14 ITEM	FISCAL YEARS	
15 NO.	2003-2004	2004-2005
16 (01) REGULAR SALARIES	\$ 1,854,642	\$ 1,856,983
17 (02) EXTRA HELP	10,000	10,000
18 (03) PERSONAL SERV MATCH	433,931	434,345
19 (04) MAINT. & GEN. OPERATION		
20 (A) OPER. EXPENSE	477,378	477,378
21 (B) CONF. & TRAVEL	40,000	40,000
22 (C) PROF. FEES	0	0
23 (D) CAP. OUTLAY	0	0
24 (E) DATA PROC.	0	0
25 (05) YOUTH OPPORTUNITIES UNLIMITED		
26 GRANTS/AIDS	<u>85,000</u>	<u>85,000</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,900,951</u>	<u>\$ 2,903,706</u>

28

29 SECTION 4. APPROPRIATION - STUDENT ASSISTANCE GRANTS AND VARIOUS
 30 SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher
 31 Education, to be payable from the Higher Education Grants Fund Account, for
 32 providing student assistance grants and various scholarships as provided by
 33 law by the Department of Higher Education for the biennial period ending June
 34 30, 2005, the following:

35

36 ITEM	FISCAL YEARS	
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1	NO.	2003-2004	2004-2005
2	(01) DEPENDENTS OF POWS, MIAS, KIAS-TUITION		
3	WAIVER SCHOLARSHIPS	\$ 15,000	\$ 15,000
4	(02) TEACHER/ADMINISTRATOR GRANTS	179,544	179,544
5	(03) EMERGENCY SECONDARY EDUCATION LOANS	81,717	81,717
6	(04) AR GOVERNOR'S SCHOLARS	4,877,508	4,877,508
7	(05) JR/SR MINORITY TEACHER SCHOLARS	500,000	500,000
8	(06) AR GEOGRAPHICAL CRITICAL NEEDS		
9	MINORITY TEACHER SCHOLARSHIPS	200,000	200,000
10	(07) SECOND EFFORT SCHOLARSHIPS	20,000	20,000
11	(08) SREB MINORITY DOCTORAL SCHOLARS	200,000	200,000
12	(09) STUDENT ASSISTANCE GRANTS	3,210,345	3,210,345
13	(10) AR ACADEMIC CHALLENGE SCHOLARSHIPS	30,740,841	30,740,841
14	(11) MINORITY MASTERS FELLOWS	80,000	80,000
15	(12) DEPENDENTS OF LAW ENF. OFFICERS, ETC.		
16	SCHOLARSHIPS	100,000	100,000
17	(13) FACULTY/ADMINISTRATOR DEVELOPMENT		
18	FELLOWS MATCHING	30,000	30,000
19	(14) TUITION ADJUSTMENT	350,000	350,000
20	(15) NATIONAL GUARD TUITION ASSISTANCE PROG	500,000	500,000
21	(16) WORKFORCE IMPROVEMENT GRANTS	500,000	500,000
22	(17) TARGETED TEACHER DEVELOPMENT PROGRAM	<u>1,500,000</u>	<u>1,500,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$43,084,955</u>	<u>\$43,084,955</u>

25 SECTION 5. APPROPRIATION - STATE SCHOLARSHIP - FEDERAL. There is hereby
 26 appropriated, to the Department of Higher Education, to be payable from the
 27 federal funds as designated by the Chief Fiscal Officer of the State, for
 28 grants-in-aid of the Department of Higher Education - State Scholarship -
 29 Federal Program for the biennial period ending June 30, 2005, the following:

31	ITEM	FISCAL YEARS	
32	NO.	2003-2004	2004-2005
33	(01) GRANTS/AID-STATE SCHOLARSHIPS-FEDERAL	\$ <u>160,866</u>	\$ <u>160,866</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 160,866</u>	<u>\$ 160,866</u>

36 SECTION 6. APPROPRIATION - DWIGHT D. EISENHOWER GRANTS. There is hereby

1 appropriated, to the Department of Higher Education, to be payable from the
 2 federal funds as designated by the Chief Fiscal Officer of the State, for
 3 operating expenses and grants and aids of the Department of Higher Education
 4 - Dwight D. Eisenhower Program for the biennial period ending June 30, 2005,
 5 the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 24,761	\$ 24,761
(B) CONF. & TRAVEL	5,000	5,000
(C) PROF. FEES	2,500	2,500
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) DWIGHT D. EISENHOWER GRANTS/AIDS	<u>639,182</u>	<u>639,182</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 671,443</u>	<u>\$ 671,443</u>

17
 18 SECTION 7. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS. There
 19 is hereby appropriated, to the Department of Higher Education, to be payable
 20 from the federal funds as designated by the Chief Fiscal Officer of the
 21 State, for personal services and operating expenses of the Department of
 22 Higher Education - Technical Education - Federal Programs for the biennial
 23 period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 69,253	\$ 71,123
(02) PERSONAL SERV MATCH	15,625	15,956
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	4,000	4,000
(B) CONF. & TRAVEL	9,000	9,000
(C) PROF. FEES	11,717	11,717
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 109,595</u>	<u>\$ 111,796</u>

SECTION 8. APPROPRIATION - TEACHER QUALITY ENHANCEMENT - 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, operating expenses and grants-in-aid of the Department of Higher Education - Teacher Quality Enhancement - Federal Program for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 24,211	\$ 24,865
(02) PERSONAL SERV MATCH	7,648	7,764
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	31,111	31,111
(B) CONF. & TRAVEL	12,000	12,000
(C) PROF. FEES	45,000	45,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) TEACHER QUALITY ENHANCEMENT GRANTS/AIDS	<u>936,432</u>	<u>936,432</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,056,402</u>	<u>\$ 1,057,172</u>

SECTION 9. 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, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 12,856	\$ 12,856
(B) CONF. & TRAVEL	5,000	5,000
(C) PROF. FEES	3,000	3,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0

1	(02) IMPROVING TEACHER QUALITY GRANTS/AIDS	<u>417,402</u>	<u>417,402</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 438,258</u>	<u>\$ 438,258</u>

3

4 SECTION 10. APPROPRIATION - HIGHER EDUCATION BUILDING MAINTENANCE. There

5 is hereby appropriated, to the Department of Higher Education, to be payable

6 from the Higher Education Building Maintenance Fund, for maintenance of

7 various buildings at the Institutions Of Higher Education by the Department

8 of Higher Education for the biennial period ending June 30, 2005, the sum of

9\$4,000,000.

10

11 SECTION 11. APPROPRIATION - RESEARCH DEVELOPMENT PROGRAM. There is hereby

12 appropriated, to the Department of Higher Education, to be payable from the

13 Higher Education Research Development Fund, for providing Arkansas Research

14 Development Program Grants to Institutions of Higher Education by the

15 Department of Higher Education for the biennial period ending June 30, 2005,

16 the sum of.....\$10,000,000.

17

18 SECTION 12. APPROPRIATION - CASH. There is hereby appropriated, to the

19 Department of Higher Education, to be payable from the cash fund deposited in

20 the State Treasury as determined by the Chief Fiscal Officer of the State,

21 for operating expenses of the Department of Higher Education for the biennial

22 period ending June 30, 2005, the following:

24	ITEM	FISCAL YEARS	
25	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
26	(01) MAINT. & GEN. OPERATION		
27	(A) OPER. EXPENSE	\$ 4,380	\$ 4,380
28	(B) CONF. & TRAVEL	0	0
29	(C) PROF. FEES	0	0
30	(D) CAP. OUTLAY	0	0
31	(E) DATA PROC.	<u>0</u>	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,380</u>	<u>\$ 4,380</u>

33

34 SECTION 13. APPROPRIATION - HEALTH EDUCATION GRANTS. There is hereby

35 appropriated, to the Department of Higher Education, to be payable from the

36 Higher Education Grants Fund Account, for payments of the contracts with

1 participating out-of-state institutions of higher learning in the fields of
 2 dentistry, optometry, osteopathy, veterinary medicine, chiropractic and
 3 podiatry for the education of Arkansas citizens by the Department of Higher
 4 Education for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) DENTAL AID	\$ 1,368,225	\$ 1,596,000
(02) VETERINARY AID	657,983	743,949
(03) CHIROPRACTIC AID	230,550	252,300
(04) OPTOMETRY AID	274,050	296,800
(05) OSTEOPATHY AID	130,164	173,812
(06) PODIATRY AID	<u>74,800</u>	<u>97,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,735,772</u>	<u>\$ 3,159,861</u>

16 SECTION 14. APPROPRIATION - DISTRIBUTION OF SALARY AND COST OF LIVING
 17 FUNDS. There is hereby appropriated, to the Department of Higher Education,
 18 to be payable from the Higher Education Salary Distribution Fund Account, for
 19 transfer of appropriation and funds for salary and cost of living adjustments
 20 to the various institutions of higher education by the Department of Higher
 21 Education for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) PERSONAL SERVICES - SALARY AND COST OF LIVING ADJUSTMENTS OF THE VARIOUS INSTITUTIONS OF HIGHER EDUCATION	<u>\$ 11,443,007</u>	<u>\$ 23,194,975</u>

30 SECTION 15. SPECIAL LANGUAGE. Arkansas Code §19-5-302, concerning
 31 State General Government Funds is amended by adding a new subsection as
 32 follows:

33 (14)(A) Higher Education Salary Distribution Fund Account. The Higher
 34 Education Salary Distribution Fund Account shall be used for the distribution
 35 of salary and cost of living adjustments to the various institutions of
 36 higher education.

1 (B) The fund account shall consist of those general revenues and any
 2 other funds as may be provided by law.

3
 4 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 6 PROVISION. Upon certification by the Director of the Department of Higher
 7 Education that transfers are needed to make maximum utilization of funds and
 8 appropriations provided for financial aid programs, and with the approval of
 9 the Chief Fiscal Officer of the State and a review by the Arkansas
 10 Legislative Council, funds and appropriations may be transferred between
 11 financial aid programs, except that funds and appropriations may not be
 12 transferred for such purposes from either the Governor's Scholars Program or
 13 the Academic Challenge Scholarships Program in excess of \$1,000,000 in the
 14 aggregate in either fiscal year. Any transfer restrictions contained in
 15 appropriation acts for the Department of Higher Education relating to
 16 appropriation transfers from Governor's Scholars Program and Academic
 17 Challenge Scholarships shall not be applicable to transfers between
 18 Governor's Scholars and Academic Challenge Scholarship appropriations.

19 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 20 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

21
 22 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOANS. In
 24 order to provide timely payments under financial aid appropriations made in
 25 this Act, the Chief Fiscal Officer of the State is authorized to provide
 26 loans from the Budget Stabilization Trust Fund to make available all funds
 27 attributable to the financial aid programs under the then current official
 28 revenue estimates. In the event of an unanticipated state revenue shortfall,
 29 any such loans remaining at the end of a fiscal year shall be repaid from
 30 revenues distributed in the first two months of the next fiscal year. Funds
 31 for appropriations made in this Act for purposes other than financial aid
 32 shall not be affected by the application of this provision.

33 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 34 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

35
 36 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORK
 2 FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made
 3 available to the various technical colleges have been determined as set out
 4 in Arkansas Code 26-51-205(d)(2), such documents as may be necessary shall be
 5 processed so that funds may be transferred from the Work Force 2000
 6 Development Fund to the State Treasury fund or fund account from which the
 7 technical college draws its general revenue support. Such funds as may be
 8 transferred shall not exceed ~~74.45%~~ 77.19% of the total funds available from
 9 the Work Force 2000 Development Fund during each fiscal year of the biennial
 10 period ending ~~June 30, 2003~~ June 30, 2005.

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

19 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 20 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

21

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

28 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 29 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

30

31 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
 33 EXPENDITURES. Proceeds derived from the repayment of loans as authorized in
 34 Items (03), (05), ~~(06)~~ and (11) of Section ~~5~~ 4 of this Act for the Emergency
 35 Secondary Education Loans, the JR/SR Minority Teacher Scholars, ~~the~~
 36 ~~Freshman/Sophomore Minority Grants~~, and the Minority Masters Fellows shall be

1 deposited into the State Treasury as "Refunds to Expenditures."

2 The provisions of this section shall be in effect only from ~~July 1, 2001~~
3 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

4
5 SECTION 21. 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 ~~5~~ 4 of this Act for the Governor's Scholars Program and the Academic
9 Challenge Scholarships Program which remain on ~~June 30, 2002~~ June 30, 2004,
10 shall be carried forward and made available for the same purpose for the
11 fiscal year ending ~~June 30, 2003~~ June 30, 2005.

12 The provisions of this section shall be in effect only from ~~July 1, 2001~~
13 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

14
15 SECTION 22. SPECIAL LANGUAGE. Arkansas Code § 29-20-129 is repealed.
16 ~~29-20-129. National Guard Tuition Assistance Program.~~
17 ~~SPECIAL LANGUAGE. NATIONAL GUARD TUITION ASSISTANCE PROGRAM. In addition to~~
18 ~~any other provisions of law, any student who receives assistance from the~~
19 ~~appropriation made for the "National Guard Tuition Assistance Program" in~~
20 ~~this Act shall repay any loans and/or assistance if the student does not~~
21 ~~receive an Honorable Discharge.~~

22
23 SECTION 23. SPECIAL LANGUAGE. NATIONAL GUARD TUITION ASSISTANCE PROGRAM.
24 In addition to any other provisions of law, any student who receives
25 assistance from the appropriation made for the "National Guard Tuition
26 Assistance Program" in this Act shall repay any loans and/or assistance if
27 the student ~~does not receive an~~ receives a discharge that is a less than
28 Honorable Discharge.

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

1 awards.

2 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 3 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

4

5 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE
 7 SAVINGS BONDS. The Department of Higher Education shall adopt rules and
 8 regulations for the allocation of the funds reappropriated for the
 9 development of projects at State Institutions of Higher Education and the
 10 payment of project costs and expenses of the issuance of the bonds of the
 11 Arkansas College Savings General Obligation Bonds Program to ensure that
 12 funds are allocated and expended in a manner consistent with the provisions
 13 of the Internal Revenue Code applicable to the Arkansas College Savings
 14 General Obligation Bond Program (Program). The funds reappropriated for the
 15 development of projects at State Institutions of Higher Education and the
 16 payment of project costs and expenses of the issuance of the bonds of the
 17 Arkansas College Savings General Obligation Bonds Program shall be allocated
 18 and expended pursuant to the provisions of Arkansas Code 6-62-701 et. seq.
 19 and other laws of this State. The expenditure and allocation of funds shall
 20 be exempt from any other provisions of state law which conflicts with any
 21 provision of the rules and regulations which rules and regulations are
 22 required to ensure the compliance of the Program with the applicable
 23 provisions of the Internal Revenue Code.

24 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 25 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

26

27 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE
 29 SAVINGS BONDS LIMITATIONS. The total principal amount of bonds to be issued
 30 during any fiscal biennium shall not exceed three-hundred million dollars
 31 (\$300,000,000), nor shall the principal amount of bonds outstanding at any
 32 time have debt service requirements in excess of twenty-four million dollars
 33 (\$24,000,000) in any one fiscal year from all sources.

34 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 35 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

36

1 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
3 OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS.

4 Upon certification to and with the approval of the Chief Fiscal Officer of
5 the State, surplus funds and appropriations may be transferred between the
6 appropriations provided for "Health Education Grants" by this Act by the
7 ~~Eighty-Third~~ Eighty-Fourth 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, 2001~~
10 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

11
12 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
14 FORWARD - HEALTH EDUCATION GRANTS. The balance of the funds and
15 appropriations as provided for "Health Education Grants" in this Act which
16 remain on ~~June 30, 2002~~ June 30, 2004, shall be carried forward and made
17 available for the same purposes for the fiscal year ending ~~June 30, 2003~~ June
18 30, 2005.

19 The provisions of this section shall be in effect only from ~~July 1, 2001~~
20 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

21
22 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
24 REQUIREMENTS - HEALTH EDUCATION GRANTS. The Arkansas Department of Higher
25 Education shall annually compile information, as described herein, on
26 students who receive financial aid through the appropriations for health
27 education grants provided for in this Act. Such information shall include
28 the number of students receiving financial aid under each line item of the
29 appropriation made for "Health Education Grants" in this Act, the name of
30 each out-of-state school which each student is attending or has attended,
31 and, if available, the location and occupation of each student who has
32 completed the course of study for a period of three years following
33 completion.

34 Such information shall be compiled into a report and presented in
35 conjunction with the biennial appropriation budget request for the
36 appropriation provided herein, to the Arkansas Legislative Council.

1 The provisions of this section shall be in effect only from ~~July 1, 2001~~
2 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

3
4 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
6 EDUCATION GRANTS - PRIORITIES. The Arkansas Higher Education Coordinating
7 Board, after consulting with the recognized associations of each of the
8 applicable medical professions and other interested persons, shall determine
9 the priorities for the applicable programs enumerated in the appropriation
10 made for "Health Education Grants" in this Act. The Arkansas Department of
11 Higher Education, if necessary, shall re-adjust the number of ~~freshman~~
12 positions for entering students to be funded for each applicable program
13 based upon the priorities determined by the board.

14 The provisions of this section shall be in effect only from ~~July 1, 2001~~
15 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

16
17 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
19 EDUCATION GRANTS - STUDY. The Arkansas Higher Education Coordinating Board
20 shall conduct a study during the ~~2001-2003~~ 2003-2005 biennium as to the
21 future need for health care providers in dentistry, veterinary medicine,
22 chiropractic, optometry, osteopathy and podiatry in Arkansas and shall report
23 its findings to the Legislative Council or Joint Budget Committee on or
24 before October 1, ~~2002~~ 2004.

25 The provisions of this section shall be in effect only from ~~July 1, 2001~~
26 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

27
28 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FINANCIAL
30 AID PROGRAMS REPORTING. The Arkansas Department of Higher Education shall
31 report by May 30 to the House and Senate Interim Committees on Education the
32 budgeted allocation for each financial aid program funded through the Higher
33 Education Grants Fund Account for the upcoming fiscal year and projections
34 for the following year.

35
36 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 2 AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that
 3 receives state scholarship funds administered by the Arkansas Department of
 4 Higher Education shall be subject to audit/review of such funds by the
 5 Division of Legislative Audit, upon approval of the Legislative Joint Audit
 6 Committee.

7
 8 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AUDIT
 10 DATA. All post-secondary institutions shall provide to the Arkansas
 11 Department of Higher Education a copy of the Integrated Post-Secondary
 12 Education Data System (IPEDS) which shall be subject to audit by the Arkansas
 13 Department of Higher Education ~~fiscal personnel~~.

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

30
 31 SECTION 36. SPECIAL LANGUAGE. Arkansas Code § 6-61-201(f), concerning the
 32 Arkansas Higher Education Coordinating Board, is amended to read as follows:

33 (f)~~(1)~~ The board shall annually elect from its membership a chairman and
 34 such other officers as are necessary to carry on its business.

35 ~~(2) A member shall not be eligible to serve for more than two (2),~~
 36 ~~one year terms as chairman of the board.~~

1
2 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
4 FOR SALARY INCREASES. New funding through the Revenue Stabilization Act
5 determined by the Arkansas Department of Higher Education to have been for
6 salary increases for each year of the 2003-2005 Biennium for Institutions of
7 Higher Education shall be used exclusively for salary increases. New funding
8 actually received for salary increases shall be spent exclusively for salary
9 increases based upon the state general revenue portion of total unrestricted
10 educational and general revenue. Funding received under this provision shall
11 be used for no purpose other than to provide such salary increases. Any
12 designated funds not used for salary increases shall be recouped at the end
13 of each fiscal year and transferred to the General Revenue Allotment Reserve
14 Fund.

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

17
18 SECTION 38. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
19 by this act shall be limited to the appropriation for such agency and funds
20 made available by law for the support of such appropriations; and the
21 restrictions of the State Purchasing Law, the General Accounting and
22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
23 Procedures and Restrictions Act, or their successors, and other fiscal
24 control laws of this State, where applicable, and regulations promulgated by
25 the Department of Finance and Administration, as authorized by law, shall be
26 strictly complied with in disbursement of said funds.

27
28 SECTION 39. LEGISLATIVE INTENT. It is the intent of the General Assembly
29 that any funds disbursed under the authority of the appropriations contained
30 in this act shall be in compliance with the stated reasons for which this act
31 was adopted, as evidenced by the Agency Requests, Executive Recommendations
32 and Legislative Recommendations contained in the budget manuals prepared by
33 the Department of Finance and Administration, letters, or summarized oral
34 testimony in the official minutes of the Arkansas Legislative Council or
35 Joint Budget Committee which relate to its passage and adoption.

36

1 SECTION 40. EMERGENCY CLAUSE. It is found and determined by the General
2 Assembly, that the Constitution of the State of Arkansas prohibits the
3 appropriation of funds for more than a two (2) year period; that the
4 effectiveness of this Act on July 1, 2003 is essential to the operation of
5 the agency for which the appropriations in this Act are provided, and that in
6 the event of an extension of the Regular Session, the delay in the effective
7 date of this Act beyond July 1, 2003 could work irreparable harm upon the
8 proper administration and provision of essential governmental programs.
9 Therefore, an emergency is hereby declared to exist and this Act being
10 necessary for the immediate preservation of the public peace, health and
11 safety shall be in full force and effect from and after July 1, 2003.

APPROVED: 5-8-2003

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