

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020
4

A Bill

SENATE BILL 85

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 EDUCATION - DIVISION OF HIGHER EDUCATION FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2021; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -
15 DIVISION OF HIGHER EDUCATION
16 APPROPRIATION FOR THE 2020-2021 FISCAL
17 YEAR.
18
19
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby
24 established for the Department of Education - Division of Higher Education
25 for the 2020-2021 fiscal year, the following maximum number of regular
26 employees.
27

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
32	(1)	U024U DHE DIRECTOR	1	GRADE SE05
33	(2)	U089U DHE DEPUTY DIRECTOR	1	GRADE SE02
34	(3)	D022N IT SENIOR PROJECT MANAGER	1	GRADE IT09
35	(4)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
36	(5)	D028C SENIOR SOFTWARE SUPPORT SPECIALIST	2	GRADE IT07



1	(6)	D016C SENIOR TECHNOLOGY ANALYST	1	GRADE IT06
2	(7)	N002N DHE SENIOR ASSOC DIRECTOR	3	GRADE GS15
3	(8)	N055N DHE ASSOCIATE DIRECTOR	1	GRADE GS14
4	(9)	A010C AGENCY CONTROLLER II	1	GRADE GS13
5	(10)	N054N DHE CAREER PATHWAYS DIRECTOR	1	GRADE GS13
6	(11)	G019C GENERAL COUNSEL	1	GRADE GS13
7	(12)	N167N DHS POLICY & RESEARCH DIRECTOR	1	GRADE GS12
8	(13)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
9	(14)	G058C DHE FEDERAL PROGRAM MANAGER	2	GRADE GS11
10	(15)	E061C ACE PROGRAM COORDINATOR	1	GRADE GS10
11	(16)	G071C DHE PROGRAM COORDINATOR	6	GRADE GS10
12	(17)	E062C ACE PROGRAM ADVISOR	2	GRADE GS09
13	(18)	G102C DHE PROGRAM SPECIALIST	16	GRADE GS09
14	(19)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
15	(20)	G080C NATIONAL & COMM SERVICES EXEC. DIR.	1	GRADE GS09
16	(21)	G295C OSTEOPATHIC RURAL MED. PROG. ADMIN.	1	GRADE GS09
17	(22)	P005C DHE COMMUNICATIONS COORDINATOR	1	GRADE GS08
18	(23)	R014C PERSONNEL MANAGER	1	GRADE GS08
19	(24)	G176C VOLUNTEER PROGRAM MANAGER	1	GRADE GS07
20	(25)	G214C GRANTS SPECIALIST	1	GRADE GS06
21	(26)	A084C PROGRAM/FIELD AUDIT SPECIALIST	1	GRADE GS06
22	(27)	G202C VOLUNTEER PROGRAM COORDINATOR	1	GRADE GS06
23	(28)	C056C ADMINISTRATIVE SPECIALIST III	1	GRADE GS04
24	(29)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
25		MAX. NO. OF EMPLOYEES	54	

26

27 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby
 28 authorized, for the Department of Education - Division of Higher Education
 29 for the 2020-2021 fiscal year, the following maximum number of part-time or
 30 temporary employees, to be known as "Extra Help", payable from funds
 31 appropriated herein for such purposes: fifteen (15) temporary or part-time
 32 employees, when needed, at rates of pay not to exceed those provided in the
 33 Uniform Classification and Compensation Act, or its successor, or this act
 34 for the appropriate classification.

35

36 SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby

1 appropriated, to the Department of Education, to be payable from the
 2 Department of Higher Education Fund Account, for personal services and
 3 operating expenses of the Department of Education - Division of Higher
 4 Education - General Operations for the fiscal year ending June 30, 2021, the
 5 following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2020-2021</u>
9 (01) REGULAR SALARIES	\$2,306,155
10 (02) EXTRA HELP	3,000
11 (03) PERSONAL SERVICES MATCHING	697,135
12 (04) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	912,755
14 (B) CONF. & TRAVEL	25,000
15 (C) PROF. FEES	100,000
16 (D) CAP. OUTLAY	50,000
17 (E) DATA PROC.	0
18 (05) STATEWIDE SCHOLARSHIP AND GRANT	
19 PROMOTION	<u>295,000</u>
20 TOTAL AMOUNT APPROPRIATED	<u><u>\$4,389,045</u></u>

21

22 SECTION 4. APPROPRIATION - STATE BOARD OF PRIVATE CAREER EDUCATION
 23 OPERATIONS. There is hereby appropriated, to the Department of Education, to
 24 be payable from the Private Career Education Fund, for personal services and
 25 operating expenses of the State Board of Private Career Education -
 26 Operations for the fiscal year ending June 30, 2021, the following:

27

28 ITEM	FISCAL YEAR
29 <u>NO.</u>	<u>2020-2021</u>
30 (01) REGULAR SALARIES	\$124,926
31 (02) EXTRA HELP	20,000
32 (03) PERSONAL SERVICES MATCHING	39,219
33 (04) MAINT. & GEN. OPERATION	
34 (A) OPER. EXPENSE	63,000
35 (B) CONF. & TRAVEL	4,000
36 (C) PROF. FEES	6,000

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u><u>\$257,145</u></u>

4

5 SECTION 5. EXTRA HELP - STATE BOARD OF PRIVATE CAREER EDUCATION
 6 OPERATIONS. There is hereby authorized, for the State Board of Private
 7 Career Education for the 2020-2021 fiscal year, the following maximum number
 8 of part-time or temporary employees, to be known as "Extra Help", payable
 9 from funds appropriated herein for such purposes: two (2) temporary or part-
 10 time employees, when needed, at rates of pay not to exceed those provided in
 11 the Uniform Classification and Compensation Act, or its successor, or this
 12 act for the appropriate classification.

13

14 SECTION 6. APPROPRIATION - STUDENT ASSISTANCE GRANTS AND VARIOUS
 15 SCHOLARSHIPS. There is hereby appropriated, to the Department of Education,
 16 to be payable from the Higher Education Grants Fund Account, for providing
 17 student assistance grants and various scholarships as provided by law of the
 18 Department of Education - Division of Higher Education - Student Assistance
 19 Grants and Various Scholarships for the fiscal year ending June 30, 2021, the
 20 following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2020-2021</u>
24	(01) ARKANSAS FUTURE GRANT	\$9,000,000
25	(02) HIGHER EDUCATION OPPORTUNITIES GRANT	2,500,000
26	(03) NATIONAL GUARD TUITION ASSISTANCE	
27	PROGRAM	1,400,000
28	(04) SINGLE PARENT SCHOLARSHIP PROGRAM	175,000
29	(05) STATE TEACHER EDUCATION PROGRAM	2,000,000
30	(06) TEACHER OPPORTUNITY PROGRAM	2,500,000
31	(07) AR GEOGRAPHICAL CRITICAL NEEDS	
32	MINORITY TEACHER SCHOLARSHIPS	150,000
33	(08) DEPENDENTS OF LAW ENFORCEMENT	
34	OFFICERS, ETC. SCHOLARSHIPS	400,000
35	(09) DEPENDENTS OF POWS, MIAS,	
36	KIAS-TUITION WAIVER SCHOLARSHIPS	1,500,000

1	(10)	SREB MINORITY DOCTORAL SCHOLARS	175,000
2	(11)	WASHINGTON CENTER SCHOLARSHIPS	150,000
3	(12)	TUITION ADJUSTMENT	350,000
4	(13)	AR ACADEMIC CHALLENGE SCHOLARSHIPS	25,000,000
5	(14)	AR GOVERNOR'S SCHOLAR	22,000,000
6	(15)	STUDENT UNDERGRADUATE RESEARCH	
7		FELLOWSHIP PROGRAM (SURF)	<u>150,000</u>
8		TOTAL AMOUNT APPROPRIATED	<u><u>\$67,450,000</u></u>

9

10 SECTION 7. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS.

11 There is hereby appropriated, to the Department of Education, to be payable
 12 from the federal funds as designated by the Chief Fiscal Officer of the
 13 State, for personal services and operating expenses of the Department of
 14 Education - Division of Higher Education - Technical Education - Federal
 15 Programs for the fiscal year ending June 30, 2021, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2020-2021</u>
19	(01) REGULAR SALARIES	\$145,978
20	(02) PERSONAL SERVICES MATCHING	43,233
21	(03) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	77,251
23	(B) CONF. & TRAVEL	40,700
24	(C) PROF. FEES	85,000
25	(D) CAP. OUTLAY	0
26	(E) DATA PROC.	<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	<u><u>\$392,162</u></u>

28

29 SECTION 8. APPROPRIATION - RESEARCH DEVELOPMENT PROGRAM. There is
 30 hereby appropriated, to the Department of Education, to be payable from the
 31 Research Development Fund, for providing Arkansas Research Development
 32 Program Grants to Institutions of Higher Education by the Department of
 33 Education - Division of Higher Education for the fiscal year ending June 30,
 34 2021, the following:

35

36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2020-2021</u>
2	(01) RESEARCH AND DEVELOPMENT PROGRAM	
3	GRANTS	<u>\$1,000,000</u>

4

5 SECTION 9. APPROPRIATION - HEALTH EDUCATION GRANTS AND LOANS. There is
6 hereby appropriated, to the Department of Education, to be payable from the
7 Higher Education Grants Fund Account, for payments of the contracts and loans
8 with participating out-of-state institutions of higher learning in the fields
9 of dentistry, optometry, osteopathy, veterinary medicine, chiropractic, and
10 podiatry for the education of Arkansas citizens by the Department of
11 Education - Division of Higher Education - Health Education Grants and Loans
12 for the fiscal year ending June 30, 2021, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2020-2021</u>
16	(01) CHIROPRACTIC AID	\$260,000
17	(02) DENTAL AID - GRANTS	2,950,000
18	(03) OPTOMETRY AID - GRANTS	650,000
19	(04) PODIATRY AID	130,400
20	(05) VETERINARY MED. LOAN	
21	FORGIVENESS PROGRAM	1,750,000
22	(06) DENTAL AID - LOANS	987,370
23	(07) OPTOMETRY AID - LOANS	140,000
24	(08) VETERINARY MED. LOAN FORGIVENESS	
25	PROGRAM	<u>250,000</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$7,117,770</u>

27

28 SECTION 10. APPROPRIATION - CASH. There is hereby appropriated, to the
29 Department of Education, to be payable from the cash fund deposited in the
30 State Treasury as determined by the Chief Fiscal Officer of the State, for
31 operating expenses of the Department of Education - Division of Higher
32 Education - Cash for the fiscal year ending June 30, 2021, the following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2020-2021</u>
36	(01) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	\$262,000
2	(B) CONF. & TRAVEL	30,000
3	(C) PROF. FEES	63,000
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	0
6	(02) SCHOLARSHIPS	<u>50,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$405,000</u></u>

8

9 SECTION 11. APPROPRIATION - PRIVATE CAREER EDUCATION BOARD - CASH.

10 There is hereby appropriated, to the Department of Education, to be payable
 11 from the cash fund deposited in the State Treasury as determined by the Chief
 12 Fiscal Officer of the State, for operating expenses of the State Board of
 13 Private Career Education - Cash for the fiscal year ending June 30, 2021, the
 14 following:

15

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2020-2021</u>
18	(01) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	\$28,087
20	(B) CONF. & TRAVEL	8,898
21	(C) PROF. FEES	8,000
22	(D) CAP. OUTLAY	0
23	(E) DATA PROC.	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	<u><u>\$44,985</u></u>

25

26 SECTION 12. APPROPRIATION - STUDENT PROTECTION TRUST. There is hereby
 27 appropriated, to the Department of Education, to be payable from the Private
 28 Career School Student Protection Trust Fund, for expenses, claims, and fees
 29 of the State Board of Private Career Education - Student Protection Trust for
 30 the fiscal year ending June 30, 2021, the following:

31

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2020-2021</u>
34	(01) EXPENSES/CLAIMS/FEES	<u><u>\$300,000</u></u>

35

36 SECTION 13. APPROPRIATION - TANF PROGRAM - FEDERAL. There is hereby

1 appropriated, to the Department of Education, to be payable from the federal
 2 funds as designated by the Chief Fiscal Officer of the State, for personal
 3 services and operating expenses of the Department of Education - Division of
 4 Higher Education - TANF Program - Federal for the fiscal year ending June 30,
 5 2021, the following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2020-2021</u>
9 (01) REGULAR SALARIES	\$198,484
10 (02) PERSONAL SERVICES MATCHING	60,196
11 (03) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	45,105
13 (B) CONF. & TRAVEL	10,000
14 (C) PROF. FEES	14,784
15 (D) CAP. OUTLAY	0
16 (E) DATA PROC.	0
17 (04) SELF SUFFICIENCY/JOB TRAINING GRANTS	<u>6,821,431</u>
18 TOTAL AMOUNT APPROPRIATED	<u><u>\$7,150,000</u></u>

19
 20 SECTION 14. APPROPRIATION - WEB BASED APPLICATIONS. There is hereby
 21 appropriated, to the Department of Education, to be payable from the Higher
 22 Education Grants Fund Account, for personal services and operating expenses
 23 associated with web based applications of the Department of Education -
 24 Division of Higher Education for the fiscal year ending June 30, 2021, the
 25 following:

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2020-2021</u>
29 (01) WEB BASED APPLICATIONS PERSONAL 30 SERVICES AND OPERATING EXPENSES	<u><u>\$1,000,000</u></u>

31
 32 SECTION 15. APPROPRIATION - SCHOLARSHIP ADMINISTRATION. There is
 33 hereby appropriated, to the Department of Education, to be payable from the
 34 Higher Education Grants Fund Account, for personal services and operating
 35 expenses of the Department of Education - Division of Higher Education -
 36 Scholarship Administration for the fiscal year ending June 30, 2021, the

1 following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2020-2021</u>
5 (01) REGULAR SALARIES	\$289,231
6 (02) EXTRA HELP	10,000
7 (03) PERSONAL SERVICES MATCHING	97,120
8 (04) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	130,000
10 (B) CONF. & TRAVEL	0
11 (C) PROF. FEES	150,000
12 (D) CAP. OUTLAY	35,000
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$711,351</u></u>

15

16 SECTION 16. APPROPRIATION - WORKFORCE INITIATIVE ACT OF 2015. There is
 17 hereby appropriated, to the Department of Education, to be payable from the
 18 Workforce Initiative Act of 2015 Fund, for workforce education grants,
 19 administrative, and operating expenses of the Department of Education -
 20 Division of Higher Education - Workforce Initiative Act of 2015 for the
 21 fiscal year ending June 30, 2021, the following:

22

23 ITEM	FISCAL YEAR
24 <u>NO.</u>	<u>2020-2021</u>
25 (01) WORKFORCE INITIATIVE ACT OF 2015	
26 EXPENSES	<u><u>\$8,000,000</u></u>

27

28 SECTION 17. APPROPRIATION - VETERAN'S APPROVING AGENCY - STATE. There
 29 is hereby appropriated, to the Department of Education, to be payable from
 30 the Department of Higher Education Fund Account, for operating expenses of
 31 the Department of Education - Division of Higher Education - Veteran's
 32 Approving Agency - State for the fiscal year ending June 30, 2021, the
 33 following:

34

35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2020-2021</u>

1	(01) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	\$3,000
3	(B) CONF. & TRAVEL	0
4	(C) PROF. FEES	0
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,000</u></u>

8

9 SECTION 18. APPROPRIATION - VETERAN'S APPROVING AGENCY - FEDERAL.

10 There is hereby appropriated, to the Department of Education, to be payable

11 from the federal funds as designated by the Chief Fiscal Officer of the

12 State, for personal services and operating expenses of the Department of

13 Education - Division of Higher Education - Veteran's Approving Agency -

14 Federal for the fiscal year ending June 30, 2021, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2020-2021</u>
18	(01) REGULAR SALARIES	\$193,543
19	(02) PERSONAL SERVICES MATCHING	63,146
20	(03) MAINT. & GEN. OPERATION	
21	(A) OPER. EXPENSE	53,546
22	(B) CONF. & TRAVEL	9,623
23	(C) PROF. FEES	0
24	(D) CAP. OUTLAY	0
25	(E) DATA PROC.	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u><u>\$319,858</u></u>

27

28 SECTION 19. APPROPRIATION - AMERICORPS - OPERATIONS. There is hereby

29 appropriated, to the Department of Education, to be payable from the

30 Department of Higher Education Fund Account, for personal services,

31 operating expenses, and grants and aid by the Department of Education -

32 Division of Higher Education - AmeriCorps - Operations for the fiscal year

33 ending June 30, 2021, the following:

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2020-2021</u>

1	(01) REGULAR SALARIES	\$239,545
2	(02) PERSONAL SERVICES MATCHING	81,397
3	(03) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	83,650
5	(B) CONF. & TRAVEL	3,650
6	(C) PROF. FEES	100
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	0
9	(04) GRANTS AND AID	<u>0</u>
10	TOTAL AMOUNT APPROPRIATED	<u><u>\$408,342</u></u>

11

12 SECTION 20. APPROPRIATION - AMERICORPS - GRANTS AND AID. There is
 13 hereby appropriated, to the Department of Education, to be payable from the
 14 Department of Higher Education Fund Account, for grants and aid by the
 15 Department of Education - Division of Higher Education - AmeriCorps - Grants
 16 and Aid for the fiscal year ending June 30, 2021, the following:

17

18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2020-2021</u>
20	(01) GRANTS AND AID	<u><u>\$2,510,704</u></u>

21

22 SECTION 21. APPROPRIATION - OSTEOPATHIC RURAL MEDICAL PRACTICE STUDENT
 23 LOAN AND SCHOLARSHIP PROGRAM. There is hereby appropriated, to the
 24 Department of Education - Division of Higher Education, to be payable from
 25 the Higher Education Grants Fund Account, for Osteopathic Rural Medical
 26 Practice Student Loan & Scholarship Program loans and/or scholarships, in a
 27 sum not to exceed\$400,000.

28

29 SECTION 22. REGULAR SALARIES - NORTHWEST TECHNICAL INSTITUTE. There is
 30 hereby established for the Department of Education - Division of Higher
 31 Education - Northwest Technical Institute for the 2020-2021 fiscal year, the
 32 following maximum number of regular employees.

33

34		Maximum Annual
35		Salary Rate
36	Item Class	Fiscal Year
		Maximum
		No. of

	No.	Code	Title	Employees	2020-2021
1	(1)	N150N	TECHNICAL INSTITUTE DIRECTOR	1	GRADE GS14
2	(2)	E009C	TECHNICAL INSTITUTE ASST DIRECTOR	2	GRADE GS12
3	(3)	L036C	NURSE INSTRUCTOR	1	GRADE MP02
4	(4)	D054C	COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
5	(5)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
6	(6)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE IT04
7	(7)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE IT03
8	(8)	E071C	AMMONIA & INDUSTRIAL TRAINER	2	GRADE GS10
9	(9)	E013C	EDUCATION PROGRAM MANAGER	5	GRADE GS10
10	(10)	E022C	EDUCATION & INSTRUCTION MANAGER	2	GRADE GS09
11	(11)	R014C	PERSONNEL MANAGER	1	GRADE GS08
12	(12)	E018C	SPECIALIZED TECHNICAL FACULTY	7	GRADE GS08
13	(13)	E027C	CAREER & TECHNICAL FACULTY	28	GRADE GS07
14	(14)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
15	(15)	G144C	TECH INSTITUTE PROGRAM COORDINATOR	2	GRADE GS07
16	(16)	C037C	ADMINISTRATIVE ANALYST	1	GRADE GS06
17	(17)	S017C	MAINTENANCE COORDINATOR	1	GRADE GS07
18	(18)	C035C	ASST REGISTRAR	1	GRADE GS05
19	(19)	S033C	MAINTENANCE SUPERVISOR	1	GRADE GS06
20	(20)	G218C	STUDENT RECRUITMENT SPECIALIST	1	GRADE GS05
21	(21)	C056C	ADMINISTRATIVE SPECIALIST III	5	GRADE GS04
22	(22)	A098C	FISCAL SUPPORT SPECIALIST	1	GRADE GS04
23	(23)	A100C	PAYROLL OFFICER	1	GRADE GS04
24	(24)	C073C	ADMINISTRATIVE SPECIALIST II	4	GRADE GS03
25	(25)	S050C	MAINTENANCE SPECIALIST	1	GRADE GS03
26	(26)	S065C	MAINTENANCE ASSISTANT	<u>2</u>	GRADE GS01
27			MAX. NO. OF EMPLOYEES	75	

29

30 SECTION 23. EXTRA HELP - NORTHWEST TECHNICAL INSTITUTE. There is
31 hereby authorized, for the Department of Education - Division of Higher
32 Education - Northwest Technical Institute for the 2020-2021 fiscal year, the
33 following maximum number of part-time or temporary employees, to be known as
34 "Extra Help", payable from funds appropriated herein for such purposes: one
35 hundred thirty-five (135) temporary or part-time employees, when needed, at
36 rates of pay not to exceed those provided in the Uniform Classification and

1 Compensation Act, or its successor, or this act for the appropriate
 2 classification.

3

4 SECTION 24. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - STATE.

5 There is hereby appropriated, to the Department of Education, to be payable
 6 from the Northwest Technical Institute Fund, for personal services and
 7 operating expenses of the Department of Education - Division of Higher
 8 Education - Northwest Technical Institute - State for the fiscal year ending
 9 June 30, 2021, the following:

10

11 ITEM	FISCAL YEAR
12 <u>NO.</u>	<u>2020-2021</u>
13 (01) REGULAR SALARIES	\$2,983,892
14 (02) EXTRA HELP	516,673
15 (03) PERSONAL SERVICES MATCHING	1,003,753
16 (04) MAINT. & GEN. OPERATION	
17 (A) OPER. EXPENSE	612,666
18 (B) CONF. & TRAVEL	45,326
19 (C) PROF. FEES	0
20 (D) CAP. OUTLAY	20,000
21 (E) DATA PROC.	<u>0</u>
22 TOTAL AMOUNT APPROPRIATED	<u><u>\$5,182,310</u></u>

23

24 SECTION 25. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - FEDERAL.

25 There is hereby appropriated, to the Department of Education, to be payable
 26 from the federal funds as designated by the Chief Fiscal Officer of the
 27 State, for personal services and operating expenses of the Department of
 28 Education - Division of Higher Education - Northwest Technical Institute -
 29 Federal for the fiscal year ending June 30, 2021, the following:

30

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2020-2021</u>
33 (01) REGULAR SALARIES	\$42,656
34 (02) EXTRA HELP	160,396
35 (03) PERSONAL SERVICES MATCHING	26,880
36 (04) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	14,258
2	(B) CONF. & TRAVEL	0
3	(C) PROF. FEES	0
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$244,190</u></u>

7

8 SECTION 26. APPROPRIATION - NORTHWEST TECHNICAL INSTITUTE - CASH.

9 There is hereby appropriated, to the Department of Education, to be payable

10 from cash funds as defined by Arkansas Code 19-4-801, for personal services

11 and operating expenses of the Department of Education - Division of Higher

12 Education - Northwest Technical Institute - Cash for the fiscal year ending

13 June 30, 2021, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2020-2021</u>
17	(01) REGULAR SALARIES	\$516,142
18	(02) EXTRA HELP	556,450
19	(03) PERSONAL SERVICES MATCHING	228,098
20	(04) MAINT. & GEN. OPERATION	
21	(A) OPER. EXPENSE	1,294,530
22	(B) CONF. & TRAVEL	15,000
23	(C) PROF. FEES	375,000
24	(D) CAP. OUTLAY	200,000
25	(E) DATA PROC.	0
26	(05) RESALE	<u>325,000</u>
27	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,510,220</u></u>

28

29 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -

31 EMERGENCY GRANTS & EXTRA HELP POOL. An Institution of higher education that

32 suffers an emergency/disaster event resulting in all or a significant portion

33 of campus operations being interrupted, may request disaster assistance

34 through the Arkansas Department of Education - Division of Higher

35 Education. Upon the declaration of an emergency by the Governor, the

36 institution may request, subject to the recommendation of the Director of the

1 Department of Education - Division of Higher Education and approval of the
2 Governor, a grant from the Disaster Relief Fund to assist in returning that
3 campus to operation and/or to a sister campus providing services to the
4 students from the affected campus. Certified law enforcement officers
5 employed by an institution of higher education may be granted jurisdiction at
6 the sister institution, upon agreement of both institutions.

7 The Department of Education - Division of Higher Education is authorized a
8 pool of 500 extra help positions for use in such emergency situations. These
9 positions may be assigned to the campus suffering the disaster event or to a
10 sister campus providing services to the students from the affected
11 campus. The Governor may waive the 1,500 hour limit of ACA 6-63-314 on these
12 assigned extra help pool positions.

13 The provisions of this section shall be in effect only from July 1, ~~2019~~
14 2020 through June 30, ~~2020~~ 2021.

15
16 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
18 REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon
19 determination by the president or chancellor of an institution of higher
20 education that a reallocation of resources for purposes of reorganization or
21 consolidation of administrative functions within the institution is necessary
22 for efficient and effective operations of the institution, the president or
23 chancellor, with approval of the institution's board of trustees, may have
24 the authority to transfer positions, appropriations and related funds between
25 campuses, divisions, branches, and other budgetary units of the institution,
26 after receiving prior approval of the Legislative Council or Joint Budget
27 Committee. 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. The transfers, consolidations, or reorganizations which involve
30 academic programs shall be reviewed by the Department of Higher Education
31 prior to submission to the Legislative Council or Joint Budget Committee.
32 Provided, however, that the institution shall be limited to submitting no
33 more than two (2) individual transaction transfer requests during any fiscal
34 year and shall be further limited to no more than five percent (5%) of the
35 total General Revenue and Special Revenue appropriation, funding, positions
36 specific to each institution, and no Tobacco Settlement funds or

1 appropriations may be reallocated pursuant to this section.

2 Determining the maximum number of employees and the maximum amount of
3 appropriation and general revenue funding for institutions of higher
4 education each fiscal year is the prerogative of the General Assembly. This
5 is usually accomplished by delineating such maximums in the appropriation
6 act(s) for institutions of higher education and the general revenue
7 allocations authorized for each fund and fund account by amendment to the
8 Revenue Stabilization law. Further, the General Assembly has determined that
9 institutions of higher education may operate more efficiently if some
10 flexibility is provided to institutions of higher education authorizing broad
11 powers under this section. Therefore, it is both necessary and appropriate
12 that the General Assembly maintain oversight by requiring prior approval of
13 the Legislative Council or Joint Budget Committee as provided by this
14 section. The requirement of approval by the Legislative Council or Joint
15 Budget Committee is not a severable part of this section. If the requirement
16 of approval by the Legislative Council or Joint Budget Committee is ruled
17 unconstitutional by a court of competent jurisdiction, this entire section is
18 void.

19 The provisions of this section shall be in effect only from July 1, ~~2019~~
20 2020 through June 30, ~~2020~~ 2021.

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

33 The provisions of this section shall be in effect only from July 1, ~~2019~~
34 2020 through June 30, ~~2020~~ 2021.

35
36 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
2 WORK 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)(A) and 26-51-205(d)(2)(B), such documents as
5 may be necessary shall be processed so that funds may be transferred from the
6 Work Force 2000 Development Fund to the State Treasury fund or fund account
7 from which the technical college draws its general revenue support. Such
8 funds as may be transferred shall not exceed 93.691% of the total funds
9 available from the Work Force 2000 Development Fund during the fiscal year.
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 funds distributed under Arkansas Code 26-51-205(d)(2)(C) in excess of
19 those amounts collected and distributed prior to June 30, 2014 shall be
20 deposited into the Skills Development Fund to be used only for personal
21 services, grants, operation, support, and improvement of occupational,
22 vocational, technical, and workforce development programs by the Department
23 of Career Education - Office of Skills Development. The distributions of
24 funds under Arkansas Code 26-51-205(d)(2)(C) in excess of those amounts
25 collected and distributed prior to June 30, 2014 shall not apply to proceeds
26 allocated to schools, colleges and educational institutions under Arkansas
27 Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B).

28 The provisions of this section shall be in effect only from July 1, ~~2019~~
29 2020 through June 30, ~~2020~~ 2021.

30

31 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
33 BUILDING MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited
34 into the Higher Education Building Maintenance Fund, any additional deposits
35 are to be transferred to the Research Development Fund there to be used as
36 provided by law.

1 The provisions of this section shall be in effect only from July 1, ~~2019~~
2 2020 through June 30, ~~2020~~ 2021.

3
4 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
6 NATIONAL GUARD TUITION INCENTIVE PROGRAM. In addition to any other provisions
7 of law, any student who receives assistance from the appropriation made for
8 the "National Guard Tuition Incentive Program" in this Act shall repay any
9 loans and/or assistance if the student receives a discharge that is a less
10 than Honorable Discharge. Priority for funding shall be given to students
11 already receiving assistance from the National Guard Tuition Incentive
12 Program.

13 The provisions of this section shall be in effect only from July 1, ~~2019~~
14 2020 through June 30, ~~2020~~ 2021.

15
16 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
18 HEALTH EDUCATION GRANTS AND LOANS - PRIORITIES. The Arkansas Higher Education
19 Coordinating Board, after consulting with the recognized associations of each
20 of the applicable medical professions and other interested persons, shall
21 determine the priorities for the applicable programs enumerated in the
22 appropriation made for "Health Education Grants and Loans" in this Act. The
23 Arkansas Department of Higher Education, if necessary, shall re-adjust the
24 number of positions for entering students to be funded for each applicable
25 program based upon the priorities determined by the board.

26 The provisions of this section shall be in effect only from July 1, ~~2019~~
27 2020 through June 30, ~~2020~~ 2021.

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

36 The provisions of this section shall be in effect only from July 1, ~~2019~~

1 2020 through June 30, ~~2020~~ 2021.

2
3 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
5 AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that
6 receives state scholarship funds administered by the Arkansas Department of
7 Higher Education shall be subject to audit/review of such funds by the
8 Division of Legislative Audit, upon approval of the Legislative Joint Audit
9 Committee.

10 The provisions of this section shall be in effect only from July 1, ~~2019~~
11 2020 through June 30, ~~2020~~ 2021.

12
13 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
15 AUDIT DATA. All post-secondary institutions shall provide to the Arkansas
16 Department of Higher Education a copy of the Integrated Post-Secondary
17 Education Data System (IPEDS) data within three weeks following the IPEDS due
18 date, which shall be subject to audit by the Arkansas Department of Higher
19 Education.

20 The provisions of this section shall be in effect only from July 1, ~~2019~~
21 2020 through June 30, ~~2020~~ 2021.

22
23 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
25 FUNDING FOR SALARY INCREASES. New funding through the Revenue Stabilization
26 Act determined by the Arkansas Department of Higher Education to have been
27 for salary increases for the fiscal year for Institutions of Higher Education
28 shall be used exclusively for salary increases. New funding actually received
29 for salary increases shall be spent exclusively for salary increases based
30 upon the state general revenue portion of total unrestricted educational and
31 general revenue. Funding received under this provision shall be used for no
32 purpose other than to provide such salary increases. Any designated funds not
33 used for salary increases shall be recouped at the end of each fiscal year
34 and transferred to the General Revenue Allotment Reserve Fund.

35 The provisions of this section shall be in effect only from July 1, ~~2019~~
36 2020 through June 30, ~~2020~~ 2021.

1
2 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE
4 PROGRAM COORDINATOR FUNDING. The Chief Fiscal Officer of the State shall
5 transfer sufficient funding for the fiscal year from the Higher Education
6 Grants Fund Account to the Department of Higher Education Fund Account in
7 order to finance the personal services costs of a DHE Program Coordinator.

8 The provisions of this section shall be in effect only from July 1, ~~2019~~
9 2020 through June 30, ~~2020~~ 2021.

10
11 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
13 TRANSFER PROVISION. Upon certification by the Director of the Department of
14 Higher Education that transfers are needed to make maximum utilization of
15 funds and appropriations provided for financial aid programs, and with the
16 approval of the Chief Fiscal Officer of the State and a review by the
17 Arkansas Legislative Council or Joint Budget Committee, funds and
18 appropriations may be transferred between financial aid programs to more
19 adequately align the appropriation with the number of eligible students.

20 The provisions of this section shall be in effect only from July 1, ~~2019~~
21 2020 through June 30, ~~2020~~ 2021.

22
23 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
25 TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION
26 GRANTS AND LOANS. Upon certification to and with the approval of the Chief
27 Fiscal Officer of the State, surplus funds and appropriations may be
28 transferred between the appropriations provided for "Health Education Grants
29 and Loans" by this Act by the General Assembly for Dental Aid Grants and
30 Loans, Optometry Aid Grants and Loans, Veterinary Aid, Veterinary Med. Loan
31 Forgiveness Program, Podiatry Aid, and Chiropractic Aid.

32 The provisions of this section shall be in effect only from July 1, ~~2019~~
33 2020 through June 30, ~~2020~~ 2021.

34
35 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -

1 CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a) Upon approval by
2 the Department of Higher Education and the Chief Fiscal Officer of the State,
3 institutions of higher education may transfer appropriation from the cash
4 contingency appropriation to any other appropriation made to the institution
5 from cash funds including the establishment of commitment items, and may
6 transfer appropriation from the contingency appropriation made payable from
7 each institution's State Treasury Fund to the state operations appropriation
8 made payable from each institution's State Treasury Fund including the
9 establishment of commitment items, and may transfer appropriation from the
10 contingency appropriation made payable from the Tobacco Settlement Program
11 Fund Accounts to any other appropriation made to the institution from Tobacco
12 Settlement Program Fund Accounts including the establishment of commitment
13 items.

14 (b) Contingency appropriation transfers shall only establish and
15 supplement commitment items that were recommended by the Higher Education
16 Coordinating Board in the budget manuals presented to the Legislative Council
17 and Joint Budget Committee.

18 (c) The Department of Higher Education shall report contingency
19 appropriation transfers and the establishment of any commitment items
20 authorized by this Section to the Legislative Council or Joint Budget
21 Committee for review during its July meeting. The report shall include, by
22 institution, the establishment of, and the amounts transferred to, each
23 commitment item, the reasons therefor and the source of funds. Institutions
24 shall submit contingency appropriation transfer and commitment item
25 establishment requests authorized by this Section to the Department of Higher
26 Education no later than July 1. Upon the failure of an institution to submit
27 the required information by the July 1 deadline, the Department of Higher
28 Education shall immediately notify by written notification the chairpersons
29 of the Legislative Council or Joint Budget Committee.

30 The provisions of this section shall be in effect only from July 1, ~~2019~~
31 2020 through June 30, ~~2020~~ 2021.

32
33 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
35 STUDENT UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the
36 Student Undergraduate Research Fellowship (SURF) Program is the continued

1 development of undergraduate academic research efforts at Arkansas colleges
2 and universities. The Arkansas Department of Higher Education shall adopt
3 rules and regulations necessary for the proper administration of the Student
4 Undergraduate Research Fellowship Program. Administrative functions and
5 responsibilities may include, but not necessarily be limited to, the
6 development of eligibility criteria, collection of applications, coordination
7 of student evaluations, distribution of public notices, and funding of grants
8 for academic research purposes. Staff of the Arkansas Department of Higher
9 Education shall administer this program. The Arkansas Department of Higher
10 Education shall be authorized to expense costs associated with the
11 administration of the program, from funds made payable from the Higher
12 Education Grants Fund Account for the Student Undergraduate Research
13 Fellowship Program as authorized in the Student Assistance Grants and Various
14 Scholarships appropriation section of this Act.

15 The provisions of this section shall be in effect only from July 1, ~~2019~~
16 2020 through June 30, ~~2020~~ 2021.

17
18 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
20 COST ALLOCATION. The Department of Higher Education may refund to the
21 Division of Higher Education Fund Account or the Higher Education Grants Fund
22 Account such amount determined by the Department to be reimbursements
23 received from the Office of the Arkansas Lottery for costs related to the
24 administration of the Arkansas Academic Challenge Scholarship Program.

25 The provisions of this section shall be in effect only from July 1, ~~2019~~
26 2020 through June 30, ~~2020~~ 2021.

27
28 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
30 APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY
31 TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of
32 Higher Education shall determine the amount available, up to \$200,000 per
33 fiscal year, to fund the Arkansas Geographical Critical Needs Minority
34 Teacher Scholarships and shall certify to the Chief Fiscal Officer of the
35 State and the State Treasurer such amount as is required to be transferred
36 from the Higher Education Grants Fund Account. Upon receiving such

1 certification, the Chief Fiscal Officer of the State and the State Treasurer
2 shall cause to be transferred the necessary funds and appropriation to the
3 fund account of the University of Arkansas at Pine Bluff for implementation
4 of this program. The University of Arkansas at Pine Bluff may use up to
5 twenty percent (20%) of the funds and appropriation for administration of the
6 program.

7 The provisions of this section shall be in effect only from July 1, ~~2019~~
8 2020 through June 30, ~~2020~~ 2021.

9
10 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
12 ADMINISTRATIVE FEES. The Department of Higher Education is authorized to
13 recover non-refundable administrative fees related to the institutional
14 certification and exemption process for out-of-state, non-public, and for-
15 profit colleges and universities. These fees include a notification fee, an
16 application processing fee, and travel expenses for the certification review
17 teams.

18 The provisions of this section shall be in effect only from July 1, ~~2019~~
19 2020 through June 30, ~~2020~~ 2021.

20
21 SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE
23 WORKFORCE INITIATIVE ACT FUNDING. The Chief Fiscal Officer of the State may
24 transfer, on his or her books and those of the State Treasurer and the
25 Auditor of the State, funding up to the amount authorized in the Workforce
26 Initiative Act of 2015 appropriation section in this Act, from the Division
27 of Higher Education Fund Account to the Workforce Initiative Act of 2015 Fund
28 in order to finance the distribution of grants identified under §6-60-107.

29 The provisions of this section shall be in effect only from July 1, ~~2019~~
30 2020 through June 30, ~~2020~~ 2021.

31
32 SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
34 ARKANSAS WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a)
35 As used in this section, "Arkansas Works Program" means the Arkansas Works
36 Program established under the Identical Acts 2016 (2nd Ex. Sess.), Nos. 1 and

1 2, Arkansas Code § 23-61-1001 et seq.

2 (b)(1) Determining the maximum number of employees, the maximum amount
3 of appropriation, for what purposes an appropriation is authorized, and
4 general revenue funding for a publicly supported institution of higher
5 education each fiscal year is the prerogative of the General Assembly.

6 (2) The purposes of subdivision (b)(1) of this section are
7 typically accomplished by:

8 (A) Identifying the purpose in the appropriation act;

9 (B) Delineating such maximums in the appropriation act for
10 a publicly supported institution of higher education; and

11 (C) Delineating the general revenue allocations authorized
12 for each fund and fund account by amendment to the Revenue Stabilization Law,
13 Arkansas Code § 19-5-101 et seq.

14 (3) It is both necessary and appropriate that the General
15 Assembly restrict the use of appropriations authorized in the acts of
16 publicly supported institutions of higher education.

17 (c)(1) Except as provided in this subsection, the publicly supported
18 institutions of higher education shall not allocate, budget, expend, or
19 utilize any appropriation authorized by the General Assembly for the purpose
20 of advertisement, promotion, or other activities designed to promote or
21 encourage enrollment in the Arkansas Health Insurance Marketplace or the
22 Arkansas Works Program, including without limitation:

23 (A) Unsolicited communications mailed to potential
24 recipients;

25 (B) Television, radio, or online commercials;

26 (C) Billboard or mobile billboard advertising;

27 (D) Advertisements printed in newspapers, magazines, or
28 other print media; and

29 (E) Internet websites and electronic media.

30 (2) This subsection does not prohibit the publicly supported
31 institutions of higher education from:

32 (A) Direct communications with licensed insurance agents;

33 (B) Solicited communications with potential recipients;

34 (C)(i) Responding to an inquiry regarding the coverage for
35 which a potential recipient might be eligible, including without limitation
36 providing educational materials or information regarding any coverage for

1 which the individual might qualify.

2 (ii) Educational materials and information
3 distributed under subdivision (c)(2)(C)(i) of this section shall contain only
4 factual information and shall not contain subjective statements regarding the
5 coverage for which the potential recipient might be eligible; and

6 (D) Using an Internet website for the exclusive purpose of
7 enrolling individuals in the Arkansas Health Insurance Marketplace or the
8 Arkansas Works Program.

9 (d) The publicly supported institutions of higher education shall not
10 apply for or accept any funds, including without limitation federal funds,
11 for the purpose of advertisement, promotion, or other activities designed to
12 promote or encourage enrollment in the Arkansas Health Insurance Marketplace
13 or the Arkansas Works Program.

14 (e)(1) Except as provided in subdivision (e)(2) of this section, the
15 publicly supported institutions of higher education shall not:

16 (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of
17 this section, allocate, budget, expend, or utilize an appropriation
18 authorized by the General Assembly for the purpose of funding activities of
19 navigators, guides, certified application counselors, and certified licensed
20 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
21 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

22 (ii) Subdivision (e)(1)(A)(i) of this section does
23 not apply to regulatory and training responsibilities related to navigators,
24 guides, certified application counselors, and certified licensed producers;
25 and

26 (B) Apply for or accept any funds, including without
27 limitation federal funds, for the purpose of funding activities of
28 navigators, guides, certified application counselors, and certified licensed
29 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
30 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

31 (2) Subdivision (e)(1) of this section does not apply to
32 certified application counselors at health related institutions, including
33 without limitation the University of Arkansas for Medical Sciences.

34 (f) An appropriation authorized by the General Assembly shall not be
35 subject to the provisions allowed through reallocation of resources or
36 transfer of appropriation authority for the purpose of transferring an

1 appropriation to any other appropriation authorized for publicly supported
2 institutions of higher education to be allocated, budgeted, expended, or
3 utilized in a manner prohibited by this section.

4 (g) The provisions of this section are severable, and the invalidity
5 of any subsection or subdivision of this section shall not affect other
6 provisions of the section that can be given effect without the invalid
7 provision.

8 (h) This section expires on June 30, ~~2020~~ 2021.

9
10 SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
12 ARKANSAS WORKFORCE CHALLENGE SCHOLARSHIP FUNDS. The Department of Higher
13 Education may transfer Arkansas Workforce Challenge Scholarship funds to:

14 (1)(A) An Arkansas Academic Challenge Scholarship account in an
15 amount necessary to fund scholarship awards for nontraditional students for
16 the 2017-2018 academic year that were not funded due to the limitation on the
17 scholarship award amount for nontraditional students under § 6-85-
18 212(e)(2)(A) as it existed before the effective date of this act.

19 (B) The department may distribute scholarship awards to
20 nontraditional students for the 2017-2018 academic year from funds
21 transferred under subdivision (1)(A) of this section; and

22 (2)(A) The Office of the Arkansas Lottery in an amount not to
23 exceed the amount required to fund scholarship awards to be distributed under
24 § 6-85-201 et seq. for the 2018-2019 or 2019-2020 academic years without
25 having to draw upon the Scholarship Shortfall Reserve Trust Account under §
26 23-115-802.

27 (B) If the transfer under subdivision (2)(A) of this
28 section exhausts the department's Arkansas Workforce Challenge Scholarship
29 funds and there remain insufficient funds for distribution as scholarship
30 awards under § 6-85-201 et seq. for the 2018-2019 or 2019-2020 academic years
31 without having to draw upon the trust account, then the trust account may be
32 drawn upon as provided under § 23-115-802.

33 The provisions of this section shall be in effect only from July 1, ~~2019~~
34 2020 through June 30, ~~2020~~ 2021.

35
36 SECTION 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE -
2 STATEWIDE SCHOLARSHIP AND GRANT PROMOTION. Of the general revenue that is
3 received by and distributed from the Higher Education Grants Fund Account,
4 the Chief Fiscal Officer of the State shall transfer two hundred ninety-five
5 thousand dollars (\$295,000) to the Division of Higher Education Fund Account
6 to be allocated, budgeted, committed and distributed to the Statewide
7 Scholarship and Grant Promotion line item in the General Operations section
8 of this Act for the purpose of increasing public awareness of the
9 scholarships and grants offered by the State through the Arkansas Department
10 of Education - Division of Higher Education. The Department shall utilize a
11 minimum of one hundred forty-seven thousand five hundred dollars (\$147,500)
12 of the aforementioned total specifically for the promotion of the Arkansas
13 Futures Grant Program.

14 The provisions of this section shall be in effect only from July 1, 2019
15 through June 30, 2020.

16
17 SECTION 50. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NTI -
19 ADDITIONAL TEACHING LOAD. Full-time staff and ten (10) extra help positions
20 at Northwest Technical Institute, may be paid up the seventy-five dollars
21 (\$75) per clock hour for the fiscal year ending June 30, ~~2020~~ 2021, for
22 noncredit teaching assignments; or up to five hundred fifty dollars (\$550)
23 per semester hour for the fiscal year ending June 30, ~~2020~~ 2021, for teaching
24 courses beyond the defined teaching load; and the employee's maximum
25 allowable salary may be exceeded by such amount; provided, however, that such
26 additional teaching load may not exceed one hundred fifty (150) clock hours
27 or nine (9) semester credit hours per school year. Further, the provisions
28 of this section shall only apply to credit and noncredit courses that are
29 funded by Private Industry.

30 The provisions of this section shall be in effect only from July 1, ~~2019~~
31 2020 through June 30, ~~2020~~ 2021.

32
33 SECTION 51. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
34 authorized by this act shall be limited to the appropriation for such agency
35 and funds made available by law for the support of such appropriations; and
36 the restrictions of the State Procurement Law, the General Accounting and

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

6
7 SECTION 52. LEGISLATIVE INTENT. It is the intent of the General
8 Assembly that any funds disbursed under the authority of the appropriations
9 contained in this act shall be in compliance with the stated reasons for
10 which this act was adopted, as evidenced by the Agency Requests, Executive
11 Recommendations and Legislative Recommendations contained in the budget
12 manuals prepared by the Department of Finance and Administration, letters, or
13 summarized oral testimony in the official minutes of the Arkansas Legislative
14 Council or Joint Budget Committee which relate to its passage and adoption.

15
16 SECTION 53. EMERGENCY CLAUSE. It is found and determined by the
17 General Assembly, that the Constitution of the State of Arkansas prohibits
18 the appropriation of funds for more than a one (1) year period; that the
19 effectiveness of this Act on July 1, 2020 is essential to the operation of
20 the agency for which the appropriations in this Act are provided, and that in
21 the event of an extension of the legislative session, the delay in the
22 effective date of this Act beyond July 1, 2020 could work irreparable harm
23 upon the proper administration and provision of essential governmental
24 programs. Therefore, an emergency is hereby declared to exist and this Act
25 being necessary for the immediate preservation of the public peace, health
26 and safety shall be in full force and effect from and after July 1, 2020.

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29 **APPROVED: 4/20/20**
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