

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

HOUSE BILL 1242

4 By: Joint Budget Committee

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## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES,  
9 OPERATING EXPENSES AND GRANTS FOR THE DEPARTMENT OF HIGHER  
10 EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997;  
11 AND FOR OTHER PURPOSES."

12  
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## Subtitle

14 "AN ACT FOR THE DEPARTMENT OF HIGHER  
15 EDUCATION APPROPRIATION FOR THE 1995-97  
16 BIENNIUM."

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

20

21 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby  
22 established for the Department of Higher Education - General Operations for  
23 the 1995-97 biennium, the following maximum number of regular employees whose  
24 salaries shall be governed by the provisions of the Uniform Classification  
25 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,  
26 and all laws amendatory thereto. Provided, however, that any position to  
27 which a specific maximum annual salary is set out herein in dollars, shall be  
28 exempt from the provisions of said Uniform Classification and Compensation  
29 Act. All persons occupying positions authorized herein are hereby governed  
30 by the provisions of the Regular Salaries Procedures and Restrictions Act  
31 (Arkansas Code §21-5-101), or its successor.

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Item	Class	Maximum	Maximum Annual
		No. of	Salary Rate
			Fiscal Years

	No.	Code	Title	Employees	1995-96	1996-97
1	(1)	9960	HIGHER ED DIRECTOR	1	\$ 95,301	\$
2						
3		97,683				
4	(2)	7243	HIGHER EDUCATION DEPUTY DIRECTOR	1	\$ 88,243	\$
5		90,449				
6	(3)	9773	HIGHER ED SENIOR ASSOC DIR	1	\$ 80,775	\$
7		82,794				
8	(4)	9774	HIGHER ED ASSOC DIR FOR FISCAL AFF	1	\$ 69,808	\$
9		71,553				
10	(5)	9922	DHE ASSOC DIR FOR ACADEMIC AFFAIRS	1	\$ 69,808	\$
11		71,553				
12	(6)	9620	NSF ASSOC DIR-SSI MATH PROG	1	\$ 61,500	\$
13		63,037				
14	(7)	9626	NSF ASSOC DIR-SSIC SCIENCE PROG	1	\$ 61,500	\$
15		63,037				
16	(8)	9627	NSF ASSOC DIR-SSI PROJECT EVAL	1	\$ 56,375	\$
17		57,784				
18	(9)	9964	DHE COORDINATOR FOR AGENCY FINANCE	1	\$ 53,302	\$
19		54,634				
20	(10)	9965	HIGHER ED COORD OF ACADEMIC PROGRAM	1	\$ 53,302	\$
21		54,634				
22	(11)	9966	HIGHER ED STUDENT FIN AID MANAGER	1	\$ 53,302	\$
23		54,634				
24	(12)	9623	H E COORD OF INSTITUTIONAL FINANCE	1	\$ 53,302	\$
25		54,634				
26	(13)	9983	HIGHER ED COORDINATOR OF Y.O.U. PGM	1	\$ 53,302	\$
27		54,634				
28	(14)	7091	DHE COORD OF FEDERAL PROGRAMS	1	\$ 53,302	\$
29		54,634				
30	(15)	A252	DHE FINANCIAL MANAGER	1		GRADE 24
31		D064	SR SYSTEMS PROGRAMMER	1		
32	(16)	R088	HIGHER ED FINANCIAL OFFICER	2		GRADE 22
33		R096	HIGHER ED ASST COORD STDNT FIN AID	3		
34		A032	AGENCY FISCAL MANAGER	1		
35	(17)	D036	SR PROGRAMMER/ANALYST	1		GRADE 21

1	R488 GRANTS ADMIN SUPV	1	
2	R298 AGENCY PROGRAM COORDINATOR	1	
3	(18) R240 DHE DATA COLLECTION ANALYST	2	GRADE 20
4	(19) R264 MANAGEMENT PROJECT ANALYST I	3	GRADE 18
5	(20) K011 ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
6	R444 BUSINESS CONTROLLER I	1	
7	(21) K153 SECRETARY II	7	GRADE 13
8	(22) K155 SECRETARY I	1	GRADE 11
9	(23) K097 RECEPTIONIST	<u>1</u>	GRADE 10
10	MAX NO. OF EMPLOYEES	41	

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12 ~~SECTION 2. REGULAR SALARIES - TECHNICAL EDUCATION IMPLEMENTATION~~

13 STATE. There is hereby established for the Department of Higher Education -  
14 Technical Education Implementation - State for the 1995-97 biennium, the  
15 following maximum number of regular employees whose salaries shall be  
16 governed by the provisions of the Uniform Classification and Compensation Act  
17 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
18 thereto. Provided, however, that any position to which a specific maximum  
19 annual salary is set out herein in dollars, shall be exempt from the  
20 provisions of said Uniform Classification and Compensation Act. All persons  
21 occupying positions authorized herein are hereby governed by the provisions  
22 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
23 101), or its successor.

24

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
28 No.	Code	Title	Employees	1995-96	1996-97
29 (1)	9772	HIGHER ED DEPUTY DIR TECHNICAL ED	1	\$ 88,243	\$
30	90,449				
31 (2)	9090	HE ASST DIR OF INFO SERVICES	1	\$ 59,393	\$
32	60,877				
33 (3)	9091	HE ASST DIR OF POLICY & PROGRAMS	1	\$ 59,393	\$
34	60,877				
35 (4)	9978	ASST DIR FOR PLNG & ACCOUNTABILITY	1	\$ 59,393	\$

1	60,877			
2	(5) 9956 ASST DIRECTOR FOR HEALTH AFFAIRS	1	\$ 59,393	\$
3	60,877			
4	(6) 9092 HE COORD OF GENERAL ADMIN	1	\$ 53,302	\$
5	54,634			
6	(7) 9093 HE COORD 2-YR INST FINANCE	1	\$ 53,302	\$
7	54,634			
8	(8) 9094 HE COORD TECHNICIAN EDUCATION	1	\$ 53,302	\$
9	54,634			
10	(9) 9095 HE COORD ACCREDITATION/ARTICULATIVE	1	\$ 53,302	\$
11	54,634			
12	(10) 9097 HE COORD PROG REVIEW & APPROVAL	1	\$ 53,302	\$
13	54,634			
14	(11) 9098 HE COORD OF 2-YR FINANCIAL AID	1	\$ 53,302	\$
15	54,634			
16	(12) A252 DHE FINANCIAL MANAGER	1		GRADE 24
17	D064 SR SYSTEMS PROGRAMMER	1		
18	(13) R201 DHE PERSONNEL MANAGER	1		GRADE 22
19	R088 HIGHER ED FINANCIAL OFFICER	2		
20	(14) R240 DHE DATA COLLECTION ANALYST	1		GRADE 20
21	(15) K153 SECRETARY II	<u>2</u>		GRADE 13
22	MAX NO. OF EMPLOYEES	19		

23

24 SECTION 3. EXTRA HELP. There is hereby authorized, for the

25 Department of Higher Education for the 1995-97 biennium, the following

26 maximum number of part-time or temporary employees, to be known as "Extra

27 Help", payable from funds appropriated herein for such purposes: Thirteen

28 (13) temporary or part-time employees, when needed, at rates of pay not to

29 exceed those provided in the Uniform Classification and Compensation Act, or

30 its successor, or this act for the appropriate classification.

31

32 SECTION 4. APPROPRIATIONS - GENERAL OPERATIONS. There is hereby

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

34 Department of Higher Education Fund Account, for personal services, operating

35 expenses and grants of the Department of Higher Education for the biennial

1 period ending June 30, 1997, the following:

2

3 ITEM	FISCAL YEARS	
4 NO.	1995-96	1996-97
5 (01) REGULAR SALARIES	\$ 1,165,294	\$
6 1,165,294		
7 (02) EXTRA HELP	5,101	
8 5,101		
9 (03) PERSONAL SERV MATCHING	266,305	
10 266,305		
11 <del>(04) MAINT. &amp; GEN. OPERATION</del>	<hr/>	
12 (A) OPER. EXPENSE	\$ 308,499	\$ 315,499
13 (B) CONF. & TRVL.	37,525	37,525
14 (C) PROF. FEES	4,000	4,000
15 (D) CAP. OUTLAY	29,622	14,500
16 (E) DATA PROC.	<u>0</u>	<u>0</u>
17 TOTAL MAINT. & GEN. OPER.		379,646
18 371,524		
19 (05) YOUTH OPPORTUNITIES UNLIMITED GRANTS/AIDS		98,779
20 98,779		
21 (06) PROGRAM EVALUATION		<u>65,000</u>
22 <u>69,260</u>		
23 TOTAL AMOUNT APPROPRIATED		<u>\$ 1,980,125</u> \$
24 <u>1,976,263</u>		

25

26 SECTION 5. APPROPRIATIONS - TECHNICAL EDUCATION IMPLEMENTATION. There  
27 is hereby appropriated, to the Department of Higher Education, to be payable  
28 from the Department of Higher Education Fund Account, for personal services,  
29 operating expenses and grants for technical education implementation and  
30 restructuring in the Department of Higher Education for the biennial period  
31 ending June 30, 1997, the following:

32

33 ITEM	FISCAL YEARS	
34 <del>NO.</del>	<del>1995-96</del>	<del>1996-97</del>
35 (01) REGULAR SALARIES	\$ 819,270	\$

1	819,270		
2	(02) EXTRA HELP		45,000
3	45,000		
4	(03) PERSONAL SERV MATCHING		198,920
5	198,920		
6	(04) OVERTIME		10,000
7	10,000		
8	(05) MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE \$	315,656 \$	319,156
10	(B) CONF. & TRVL.	35,649	35,649
11	(C) PROF. FEES	19,950	19,950
12	(D) CAP. OUTLAY	29,622	7,500
13	(E) DATA PROC.	<u>21,076</u>	<u>21,076</u>
14	TOTAL MAINT. & GEN. OPER.		421,953
15	403,331		
16	(06) PROGRAM EVALUATION/ACCREDITATION		<u>90,000</u>
17	<u>90,000</u>		
18	TOTAL AMOUNT APPROPRIATED		<u>\$ 1,585,143 \$</u>
19	<u>1,566,521</u>		

20

21 ~~SECTION 6. APPROPRIATIONS - HIGHER EDUCATION PROMOTIONAL GRANTS. There~~  
 22 is hereby appropriated, to the Department of Higher Education, to be payable  
 23 from the Department of Higher Education Fund Account, for the State Board of  
 24 Higher Education to utilize in the promotion of statewide higher education  
 25 priorities of the State Board of Higher Education for the biennial period  
 26 ending June 30, 1997, the following:

27			
28	ITEM	FISCAL YEARS	
29	NO.	1995-96	1996-97
30	(01) HIGHER EDUCATION PROMOTIONAL GRANTS	<u>\$ 3,002,285</u>	<u>\$</u>
31	<u>3,002,285</u>		
32			

33 SECTION 7. APPROPRIATIONS - SREB INSTITUTE. There is hereby  
 34 appropriated, to the Department of Higher Education, to be payable from the  
 35 Department of Higher Education Fund Account, for making the contribution of

1 the State of Arkansas to the SREB Institute for higher educational  
2 opportunity by the Department of Higher Education for the biennial period  
3 ending June 30, 1997, the following:

4

5 ITEM	FISCAL YEARS	
6 NO.	1995-96	1996-97
7 (01) STATE'S CONTRIBUTION - SREB INSTITUTE	<u>\$ 149,750</u>	<u>\$</u>
8 <u>152,600</u>		

9

10 SECTION 8. APPROPRIATIONS - REPORTS OF COLLEGE ACHIEVEMENT OF HIGH  
~~11 SCHOOL GRADUATES/ASSESSMENT OF 8TH GRADERS. There is hereby appropriated, to~~  
12 the Department of Higher Education, to be payable from the Department of  
13 Higher Education Fund Account, for expenses incurred by the Department of  
14 Higher Education in collecting, analyzing, and providing reports of college  
15 achievement of high school graduates, including contracts with the American  
16 College Testing Service or other organizations and for assessing skills of  
17 all 8th graders in accordance with the provisions of Ark. Code §§6-5-401 et  
18 seq. by the Department of Higher Education for the biennial period ending  
19 June 30, 1997, the following:

20

21 ITEM	FISCAL YEARS	
22 NO.	1995-96	1996-97
23 (01) EXPENSES FOR REPORTS OF COLLEGE		
24 <del>ACHIEVEMENT OF HIGH SCHOOL GRADUATES</del>		
25 & ASSESSMENT OF 8TH GRADERS	<u>\$ 206,500</u>	<u>\$ 206,500</u>

26

27 SECTION 9. APPROPRIATIONS - STUDENT ASSISTANCE GRANTS AND VARIOUS  
28 SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher  
29 Education, to be payable from the Higher Education Grants Fund Account, for  
30 providing student assistance grants and various scholarships as provided by  
31 law by the Department of Higher Education for the biennial period ending June  
~~32 30, 1997, the following:~~

33

34 ITEM	FISCAL YEARS	
35 NO.	1995-96	1996-97

1	(01)	SCHOLARSHIPS TO DEPENDENTS		
2		- MIA/KIA TUITION WAIVERS	\$	48,000 \$
3		48,000		
4	(02)	TEACHER RETRAINING GRANTS		179,544
5		179,544		
6	(03)	MATH/SCIENCE TEACHER LOAN AWARDS		81,717
7		81,717		
8	(04)	GOVERNOR'S SCHOLARS PROGRAM AWARDS		1,065,000
9		1,065,000		
10	(05)	JUNIOR/SENIOR MINORITY		
11		SCHOLARSHIPS		600,000
12		600,000		
13	(06)	FRESHMAN/SOPHOMORE MINORITY		
14		SCHOLARSHIPS		600,000
15		600,000		
16	(07)	MINORITY TEACHER RECRUITMENT &		
17		TRAINING PROG. - PAYMENT OF HONORARIUMS		50,000
18		50,000		
19	(08)	SECOND EFFORT SCHOLARSHIPS		50,000
20		50,000		
21	(09)	SREB MINORITY FACULTY RECRUITMENT SCHOLARSHIPS		200,000
22		200,000		
23	(10)	ARK. OPPORTUNITY SCHOLARSHIP ACT - OPPORTUNITY		
24		SCHOLARSHIP FUND		100,000
25		100,000		
26	(11)	GRANTS/DP SERV/SUPPLIES - STATE		
27		SCHOLARSHIP PGM		7,966,419
28		7,966,419		
29	(12)	ACADEMIC CHALLENGE SCHOLARSHIPS		7,000,000
30		7,000,000		
31	(13)	MINORITY TEACHER SCHOLARS PROGRAM		600,000
32		600,000		
33	(14)	SURVIVING CHILDREN SCHOLARSHIPS		40,000
34		40,000		
35	(15)	FACULTY/ADMINISTRATOR DEVELOPMENT		



1	MATCHING	30,000
2	30,000	
3	(16) TUITION ADJUSTMENT	<u>800,000</u>
4	<u>800,000</u>	
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 19,410,680 \$</u>
6	<u>19,410,680</u>	

7

8 SECTION 10. APPROPRIATIONS - STATE SCHOLARSHIP - FEDERAL. There is

9 hereby appropriated, to the Department of Higher Education, to be payable

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

11 State, for grants-in-aid of the State Scholarship - Federal program of the

12 Department of Higher Education for the biennial period ending June 30, 1997,

13 the following:

14			
15	ITEM	FISCAL YEARS	
16	NO.	1995-96	1996-97
17	(01) GRANTS/AIDS - ST. SCHOLARSHIPS - FEDERAL	<u>\$ 505,832</u>	<u>\$</u>
18	<u>505,832</u>		

19

20 SECTION 11. APPROPRIATIONS - CONGRESSIONAL TEACHER SCHOLARSHIP PROGRAM.

21 ~~There is hereby appropriated, to the Department of Higher Education, to be~~

22 payable from the federal funds as designated by the Chief Fiscal Officer of

23 the State, for Congressional Teacher Scholarships of the Department of Higher

24 Education for the biennial period ending June 30, 1997, the following:

25			
26	ITEM	FISCAL YEARS	
27	NO.	1995-96	1996-97
28	(01) CONGRESSIONAL TEACHER SCHOLARSHIPS	<u>\$ 225,000</u>	<u>\$</u>
29	<u>225,000</u>		

30

31 ~~SECTION 12. APPROPRIATIONS - DWIGHT D. EISENHOWER GRANTS. There is~~

32 hereby appropriated, to the Department of Higher Education, to be payable

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

34 State, for operating expenses and grants/aids of the Dwight D. Eisenhower

35 Program of the Department of Higher Education for the biennial period ending

1 June 30, 1997, the following:

2

3 ITEM	FISCAL YEARS	
4 NO.	1995-96	1996-97
5 (01) MAINT. & GEN. OPERATION		
6 <del>(A) OPER. EXPENSE \$</del> 24,761 <del>\$</del> 24,761		
7 (B) CONF. & TRVL.	5,000	5,000
8 (C) PROF. FEES	2,500	2,500
9 (D) CAP. OUTLAY	3,000	3,000
10 (E) DATA PROC.	<u>0</u>	<u>0</u>
11 TOTAL MAINT. & GEN. OPER.		35,261
12 35,261		
13 (02) DWIGHT D. EISENHOWER GRANTS/AIDS	<u>\$ 767,150</u>	<u>\$</u>
14 <u>767,150</u>		
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 802,411</u>	<u>\$</u>
16 <u>802,411</u>		

17

18 SECTION 13. APPROPRIATIONS - SYSTEMIC INITIATIVE PROJECT. There is  
19 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, operating expenses and grants to support  
22 math/science education of the Department of Higher Education for the biennial  
23 period ending June 30, 1997, the following:

24

25 <del>ITEM</del>	<del>FISCAL YEARS</del>	
26 NO.	1995-96	1996-97
27 (01) REGULAR SALARIES	\$ 286,336	\$
28 293,494		
29 (02) EXTRA HELP	15,000	
30 15,000		
31 (03) PERSONAL SERV MATCHING	74,927	
32 76,195		
33 (04) MAINT. & GEN. OPERATION		
34 (A) OPER. EXPENSE \$	111,700	\$ 111,700
35 (B) CONF. & TRVL.	31,000	31,000

1	(C) PROF. FEES	65,000	65,000
2	(D) CAP. OUTLAY	10,000	10,000
3	(E) DATA PROC.	<u>0</u>	<u>0</u>
4	TOTAL MAINT. & GEN. OPER.		217,700
5	217,700		
6	(05) GRANTS TO SUPPORT MATH/SCIENCE EDUCATION		<u>1,792,767</u>
7	<u>1,792,767</u>		
8	TOTAL AMOUNT APPROPRIATED		<u>\$ 2,386,730</u>
9	<u>2,395,156</u>		

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11 SECTION 14. APPROPRIATIONS - TECHNICAL EDUCATION - FEDERAL PROGRAMS.  
12 There is hereby appropriated, to the Department of Higher Education, to be  
13 payable from the federal funds as designated by the Chief Fiscal Officer of  
14 the State, for personal services and operating expenses of the Department of  
15 Higher Education for the biennial period ending June 30, 1997, the following:  
16

17	ITEM	FISCAL YEARS	
18	NO.	1995-96	1996-97
19	(01) REGULAR SALARIES	\$ 52,000	\$
20	52,000		
21	(02) EXTRA HELP	14,409	
22	14,409		
23	(03) PERSONAL SERV MATCHING	12,916	
24	12,916		
25	(04) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE \$	14,000	\$ 14,000
27	(B) CONF. & TRVL.	17,000	17,000
28	(C) PROF. FEES	115,440	115,440
29	(D) CAP. OUTLAY	0	0
30	(E) DATA PROC.	<u>0</u>	<u>0</u>
31	TOTAL MAINT. & GEN. OPER.		<u>146,440</u>
32	<u>146,440</u>		
33	TOTAL AMOUNT APPROPRIATED		<u>\$ 225,765</u>
34	<u>225,765</u>		

35

1 SECTION 15. APPROPRIATIONS - CASH FUNDS. There is hereby appropriated,  
2 to the Department of Higher Education, to be payable from cash funds as  
3 defined by Arkansas Code 19-4-801 of the Department of Higher Education, for  
4 operating expenses and Academic Alliances Program Grants and Aids of the  
5 Department of Higher Education for the biennial period ending June 30, 1997,  
6 the following:

8 ITEM	FISCAL YEARS	
9 NO.	1995-96	1996-97
10 (01) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE \$	12,782 \$	12,782
12 (B) CONF. & TRVL.	6,215	6,215
13 (C) PROF. FEES	0	0
14 (D) CAP. OUTLAY	200,000	200,000
15 (E) DATA PROC.	<u>0</u>	<u>0</u>
16 TOTAL MAINT. & GEN. OPER.		218,997
17 218,997		
18 (02) ACADEMIC ALLIANCES PROGRAM - GRANTS/AIDS	<u>\$ 10,000</u>	<u>\$</u>
19 <u>10,000</u>		
20 TOTAL AMOUNT APPROPRIATED	<u>\$ 228,997</u>	<u>\$</u>
21 <u>228,997</u>		

22  
23 SECTION 16. APPROPRIATIONS. There is hereby appropriated, to the  
24 Department of Higher Education, to be payable from the Higher Education  
25 Building Maintenance Fund, for maintenance of various buildings at the  
26 Institutions of Higher Education by the Department of Higher Education for  
27 the biennial period ending June 30, 1997, the sum of ..... \$26,000,000.

28  
29 SECTION 17. APPROPRIATIONS. There is hereby appropriated, to the  
30 Department of Higher Education, to be payable from the Research Development  
31 ~~Fund, for providing Arkansas Research Development Program Grants to~~  
32 Institutions of Higher Education by the Department of Higher Education for  
33 the biennial period ending June 30, 1997, the sum of ..... \$10,000,000.

34  
35 SECTION 18. REPORTING REQUIREMENTS. The reports of college

1 achievement of high school graduates, as appropriated in Section 8 herein,  
2 shall be provided to high school and school district administrators and may  
3 also be provided to the State Board of Higher Education, the Governor, the  
4 Joint Interim Committee on Education, the Board of Education and the  
5 Department of Education, as designated by the Department of Higher Education.  
6  
7

8       SECTION 19. TRANSFER PROVISION. Upon certification by the Director of  
9 the Department of Higher Education that transfers are needed to make maximum  
10 utilization of funds and appropriations provided for financial aid programs,  
11 and with the approval of the Chief Fiscal Officer of the State and a review  
12 by the Arkansas Legislative Council, funds and appropriations may be  
13 transferred between financial aid programs.  
14  
15

16       SECTION 20. TRANSFER PROVISION. Upon certification by the Chairman of  
17 the State Board of Higher Education to the Chief Fiscal Officer of the State,  
18 funds and appropriation provided in Section 6 of this Act may be transferred  
19 to Institutions of Higher Education as deemed appropriate by the State Board  
20 of Higher Education. Upon filing of any required plan by an Institution of  
21 Higher Education to the State Board of Higher Education, such plan shall be  
22 filed with the Arkansas Legislative Council for its review.  
23

24       SECTION 21. In order to provide timely payments under financial aid  
25 appropriations made in this Act, the Chief Fiscal Officer of the State is  
26 authorized to provide loans from the Budget Stabilization Trust Fund to make  
27 available all funds attributable to the financial aid programs under the then  
28 current official revenue estimates. In the event of an unanticipated state  
29 revenue shortfall, any such loans remaining at the end of a fiscal year shall  
30 be repaid from revenues distributed in the first two months of the next  
31 fiscal year. Funds for appropriations made in this Act for purposes other  
32 than financial aid shall not be affected by the application of this  
33 provision.  
34

35       SECTION 22. CARRY FORWARD. The unexpended balances of funding and

1 appropriation authorized in Section 4 of this Act, General Operations, for  
2 capital outlay that pertain to the completion of the acquisition of a  
3 telecommunications system, that remains on June 30, 1996, shall be carried  
4 forward for the same purposes for the fiscal year ending June 30, 1997.

5

6 SECTION 23. On June 30, 1999, after the initial transition period and  
7 accreditation has been achieved for the various technical colleges, ten (10)  
8 of the positions authorized in Section 32 of Act 1101 of 1991 for the purpose  
9 of providing personnel resources necessary to implement the technical college  
10 legislation enacted by the Seventy-Eighth General Assembly will be deleted  
11 from the Department's appropriation.

12

13 SECTION 24. The unexpended balances of the appropriations and funding  
14 authorized in Section 5 of this Act as of June 30, 1996, shall be carried  
15 forward and made available for the purpose of continuing the technical  
16 education implementation/restructuring through the fiscal year ending June  
17 30, 1997.

18

19 SECTION 25. The Department of Higher Education is hereby authorized to  
20 utilize the appropriations and funds authorized by this Act for minority  
21 scholarships for the payment of "paid internships" as may be authorized by  
22 "The Minority Teacher Recruitment and Training Program."

23

24 SECTION 26. After the amounts to be made available to the various  
25 technical colleges have been determined by the State Board of Higher  
26 Education under the provisions of Act 1244 of 1991 and Act 1246 of 1991, and  
27 upon the review and approval of the Chief Fiscal Officer of the State, such  
28 documents as may be necessary shall be processed so that funds may be  
29 transferred from the Work Force 2000 Development Fund to the State Treasury  
30 fund or fund account from which the technical college draws is general  
31 revenue support. Be it further provided that such funds as may be  
32 transferred shall not exceed 73.24% of the total funds available from the  
33 Work Force 2000 Development Fund during each fiscal year of the biennial  
34 period ending June 30, 1997.

35

1 SECTION 27. After the sum of \$13,200,000 has been deposited into the  
2 Higher Education Building Maintenance Fund, the next \$10,000,000 or so much  
3 as is collected, is to be transferred to the Research Development Fund there  
4 to be used as provided by law.

5

6 SECTION 28. REFUND TO EXPENDITURES. Proceeds derived from the  
7 repayment of loans as authorized in Item (03) of Section 9 of this act for  
8 the Math/Science Teacher Loan Awards Program shall be deposited into the  
9 State Treasury as "Refunds to Expenditures."

10

11 SECTION 29. CARRY FORWARD. The balance of the funds and  
12 appropriations as provided in Section 9 of this Act for the Academic  
13 Challenge Scholarships Program which remain on June 30, 1996, shall be  
14 carried forward and made available for the same purpose for the fiscal year  
15 ending June 30, 1997.

16

17 SECTION 30. Upon certification by the State Board of Higher Education,  
18 and at the request of the Director of the Department of Higher Education, the  
19 Chief Fiscal Officer of the State is hereby authorized to transfer from the  
20 balances remaining in appropriation and funds authorized for the Academic  
21 Challenge Scholarships's line item, in such amounts as deemed appropriate by  
22 the State Board of Higher Education in meeting the educational needs of the  
23 State through a financial assistance program of grants and forgivable loans,  
24 designed to meet State needs, based on comments and advice sought by the  
25 State Board of Higher Education to determine areas of critical and strategic  
26 needs for graduates in specific courses of study and for racial and gender  
27 diversity.

28

29 SECTION 31. SPECIAL PROVISIONS. (1) Effective July 1, 1993, those  
30 students who currently receive or who have been accepted to receive financial  
31 assistance from the appropriations providing for payments of the contracts  
32 with schools of higher learning for the education of Arkansas citizens at  
33 out-of-state institutions of higher learning in the fields of dental  
34 medicine, optometry, osteopathy, veterinary medicine, chiropractic education  
35 and podiatry education shall continue to receive such financial assistance;

1           (2) Effective July 1, 1993, the State Board of Higher Education shall  
2 determine the priorities for the applicable programs enumerated in item (1)  
3 above and the disbursing officer for the appropriations shall re-adjust the  
4 number of positions funded for new freshman positions for the applicable  
5 programs according to the need of the State for each profession, based upon  
6 the priorities determined by the board after hearing testimony from the  
7 recognized associations of each of the applicable medical professionals; and

8           (3) The State Board of Higher Education shall conduct a study during  
9 the 1995-97 biennium as to the need for health care providers in Arkansas and  
10 report its findings to the General Assembly on or before October 1, 1996.

11

12           SECTION 32. The State Board of Higher Education shall, after providing  
13 funding for the various individual student scholarships and for Dental,  
14 Optometry, Veterinary, Chiropractic, Osteopathy, and Podiatry Aid Programs  
15 appropriated to the Department of Higher Education and the Arkansas Student  
16 Loan Authority by law, set aside the sum of one million two hundred thousand  
17 dollars (\$1,200,000) from the monies remaining in the Higher Education Grants  
18 Fund Account on July 1, 1995. The amount set aside shall be used exclusively  
19 by the Arkansas Student Loan Authority to provide tuition assistance loan  
20 financing to the forty-one (41) Arkansas students, attending out-of-state  
21 schools in Dentistry, Optometry, Veterinary, Podiatry, Chiropractic or  
22 Osteopathy, who did not receive loan tuition assistance during the 1993-95  
23 Biennium due to shortfalls in revenues available to the program.

24

25           SECTION 33. *The Legislative Joint Auditing Committee shall provide for*  
26 *the verification of student enrollment data of each state-supported*  
27 *institution of higher education. Verification of such enrollment data shall*  
28 *be performed during the regularly scheduled annual audit of each institution*  
29 *and shall be included in the final audit report for each institution. Such*  
30 *reports shall be made available to the State Board of Higher Education and*  
31 *the Arkansas Legislative Council. Criteria to be used by the Division of*  
32 *Legislative Audit in making the verifications of enrollment data shall be*  
33 *established by the Legislative Joint Auditing Committee.*

34

35           SECTION 34. (a) HIGHER EDUCATION TUITION ADJUSTMENT FUND. *The Higher*



1 *Education Tuition Adjustment Fund is hereby created upon the books of the*  
2 *State Treasurer, State Auditor, and Chief Fiscal Officer of the State. The*  
3 *fund shall consist of such revenues as are allocated to it by law.*

4 *(b) PURPOSE OF THE FUND. It is the intent of the Arkansas General Assembly*  
5 *that this fund ensures that bonafide Arkansas income taxpayers and their*  
6 *dependents who are residents of a bordering state in a contiguous county to*  
7 *the Arkansas State line which is contiguous to a county where an insitution*  
8 *of higher education is located receive the same higher education*  
9 *opportunities as all other said taxpayers. In establishing this policy, it*  
10 *is the intent of the General Assembly that taxpayers should have affordable*  
11 *access to the state's higher education institutions.*

12 *Further, the Arkansas Department of Higher Education will require each*  
13 *institution to track and report the number of qualifying students each year.*  
14 *A list of students who benefit from the out-of-state tuition waiver*  
15 *including their social security number or their Arkansas taxpaying parents'*  
16 *or guardians' names and social security numbers will be furnished by the*  
17 *Arkansas Department of Higher Education to the Department of Finance and*  
18 *Administration for confirmation that they or their parents are employed in*  
19 *Arkansas at a wage in excess of five thousand five hundred dollars (\$5,500)*  
20 *per annum. Documentation should be either an official W-2 form from an*  
21 *Arkansas employer reflecting wages of at least five thousand five hundred*  
22 *dollars (\$5,500) in the tax year prior to enrollment in college; or official*  
23 *employer verification of a current year salary minimum of at least five*  
24 *thousand five hundred dollars (\$5,500) which the college will keep on file*  
25 *for enrollment audit purposes.*

26 *(c) APPROPRIATION TRANSFER PROCEDURES. The Director of the Arkansas*  
27 *Department of Higher Education shall determine the difference between the*  
28 *amount of tuition revenue which would have been generated by charging the*  
29 *State Board of Higher Education approved out-of-state tuition rate to said*  
30 *students as compared to approved in-state or out-of-district rate. Upon such*  
31 *determination, the Director of the Arkansas Department of Higher Education*  
32 *shall certify to the Chief Fiscal Officer of the State and the State*  
33 *Treasurer such amounts as are required to be transferred from the Higher*  
34 *Education Tuition Adjustment Fund. Upon receiving such certification, the*  
35 *Chief Fiscal Officer of the State and the State Treasurer shall cause to be*

1 transferred the necessary funds and appropriation to the fund account of the  
2 institution receiving such certification from the Director of the Arkansas  
3 Department of Higher Education. In order to provide funding for the  
4 appropriation set out in Item (16) of Section 9 of this act, the Chief Fiscal  
5 Officer of the State shall transfer to the Higher Education Tuition  
6 Adjustment Fund from the Higher Education Grants Fund Account \$250,000 for  
7 each year of the biennium. The remaining amounts required to finance the  
8 amount appropriated in Item 16 of Section 9 of this Act shall be transferred  
9 from the Higher Education Grants Fund Account after meeting the costs of  
10 scholarship and grant programs administered by the State Board of Higher  
11 Education under Secion 9 of this act."  
12

13 SECTION 35. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
14 authorized by this Act shall be limited to the appropriation for such agency  
15 and funds made available by law for the support of such appropriations; and  
16 the restrictions of the State Purchasing Law, the General Accounting and  
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
18 Procedures and Restrictions Act, or their successors, and other fiscal  
19 control laws of this State, where applicable, and regulations promulgated by  
20 the Department of Finance and Administration, as authorized by law, shall be  
21 strictly complied with in disbursement of said funds.  
22

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

32 SECTION 37. CODE. All provisions of this Act of a general and  
33 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
34 the Arkansas Code Revision Commission shall incorporate the same in the Code.  
35

1           SECTION 38. SEVERABILITY. If any provision of this Act or the  
2 application thereof to any person or circumstance is held invalid, such  
3 invalidity shall not affect other provisions or applications of the Act which  
4 can be given effect without the invalid provision or application, and to this  
5 end the provisions of this Act are declared to be severable.

6

7           SECTION 39. GENERAL REPEALER. All laws and parts of laws in conflict  
8 with this Act are hereby repealed.

9

10          SECTION 40. EMERGENCY CLAUSE. It is hereby found and determined by  
11 the Eightieth General Assembly, that the Constitution of the State of  
12 Arkansas prohibits the appropriation of funds for more than a two (2) year  
13 period; that the effectiveness of this Act on July 1, 1995 is essential to  
14 the operation of the agency for which the appropriations in this Act are  
15 provided, and that in the event of an extension of the Regular Session, the  
16 delay in the effective date of this Act beyond July 1, 1995 could work  
17 irreparable harm upon the proper administration and provision of essential  
18 governmental programs. Therefore, an emergency is hereby declared to exist  
19 and this Act being necessary for the immediate preservation of the public  
20 peace, health and safety shall be in full force and effect from and after  
21 July 1, 1995.

22

23

24

*/s/Rep. E. Thicksten*

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