

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: H3/21/97

# A Bill

HOUSE BILL 2074

4  
5 By: Representatives Wagner, Ammons, Angel, Baker, Beatty, Bennett, Booker, Broadway, Capps, Choate, Critcher, Davis, Dietz, Faris,  
6 Ferguson, Flanagan, George, Goodwin, Hale, Hall, Harris, Horn, D. Hudson, Hunton, Johnson, Lancaster, Maddox, Malone, B.  
7 McGee, M. McGehee, McGinnis, McJunkin, McKissack, Miller, Newman, Northcutt, Pollan, Purdom, Roberts, Rodgers, Rorie,  
8 Schexnayder, Shoffner, Simmons, J. Smith, T. Smith, Stalnaker, Thicksten, Vess, Walker, Wallis, Whorton, Wilkins, Wilkinson, Wilson,  
9 Young  
10 By: Senator Wilson

## For An Act To Be Entitled

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13 "AN ACT TO MAKE AN APPROPRIATION FOR SCHOLARSHIPS AND  
14 GRANTS FOR THE STATE BOARD OF HIGHER EDUCATION FOR THE  
15 BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR OTHER  
16 PURPOSES."

## Subtitle

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19 "AN ACT FOR THE STATE BOARD OF HIGHER  
20 EDUCATION APPROPRIATION FOR THE 1997-99  
21 BIENNIUM."

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

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25 SECTION 1. APPROPRIATIONS - HIGHER EDUCATION PROMOTIONAL GRANTS. There  
26 is hereby appropriated, to the State Board of Higher Education, to be payable  
27 from the State Board of Higher Education Fund Account, for the State Board of  
28 Higher Education to utilize in the promotion of statewide Higher Education  
29 priorities of the State Board of Higher Education for the biennial period  
30 ending June 30, 1999, the following:

31	32 FISCAL YEARS	
33	<del>1997-98</del>	<del>1998-99</del>
34 (01) HIGHER EDUCATION PROMOTIONAL GRANTS	<u>\$ 3,002,285</u>	<u>\$ 3,002,285</u>

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36 SECTION 2. APPROPRIATIONS - SREB INSTITUTE. There is hereby

1 appropriated, to the State Board of Higher Education, to be payable from the  
 2 State Board of Higher Education Fund Account, for making the contribution of  
 3 the State of Arkansas to the SREB Institute for higher educational opportunity  
 4 by the State Board of Higher Education for the biennial period ending June 30,  
 5 1999, the following:

7 ITEM	FISCAL YEARS	
8 <del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
9 (01) STATE'S CONTRIBUTION - SREB INSTITUTE	\$ <u>152,600</u>	\$ <u>152,600</u>

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11 SECTION 3. APPROPRIATIONS - STUDENT ASSISTANCE GRANTS AND VARIOUS  
 12 SCHOLARSHIPS. There is hereby appropriated, to the State Board of Higher  
 13 Education, to be payable from the Higher Education Grants Fund Account, for  
 14 providing student assistance grants and various scholarships as provided by  
 15 law by the State Board of Higher Education for the biennial period ending June  
 16 30, 1999, the following:

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18 ITEM	FISCAL YEARS	
19 <del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
20 (01) SCHOLARSHIPS TO DEPENDENTS - MIA/KIA		
21 TUITION WAIVERS	\$ 48,000	\$ 48,000
22 (02) TEACHER RETRAINING GRANTS	179,544	179,544
23 (03) MATH/SCIENCE TEACHER LOAN AWARDS	81,717	81,717
24 (04) GOVERNOR'S SCHOLARS PROGRAM		
25 AWARDS	3,198,450	4,824,452
26 (05) JUNIOR/SENIOR MINORITY		
27 SCHOLARSHIPS	450,000	450,000
28 (06) FRESHMAN/SOPHOMORE MINORITY		
29 SCHOLARSHIPS	250,000	250,000
30 (07) MINORITY TEACHER RECRUITMENT &		
31 TRAINING PROGRAM - PAYMENT OF HONORARIUMS	25,000	25,000
32 (08) SECOND EFFORT SCHOLARSHIPS	50,000	50,000
33 (09) SREB MINORITY FACULTY		
34 RECRUITMENT SCHOLARSHIPS	200,000	200,000
35 (10) STATE SCHOLARSHIP PROGRAM	5,099,506	5,099,506

1	(11)	ACADEMIC CHALLENGE SCHOLARSHIPS	13,100,000	14,675,000
2	(12)	MINORITY MASTERS PROGRAM	80,000	80,000
3	(13)	SURVIVING CHILDREN SCHOLARSHIPS	60,000	60,000
4	(14)	FACULTY/ADMINISTRATOR		
5		DEVELOPMENT MATCHING	30,000	30,000
6	(15)	TUITION ADJUSTMENT	800,000	800,000
7	(16)	SCHOLARSHIPS FOR ARKANSAS		
8		REHABILITATION SERVICES CLIENTS	<u>500,000</u>	<u>500,000</u>
9		TOTAL AMOUNT APPROPRIATED	<u>\$ 24,152,217</u>	<u>\$ 27,353,219</u>

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11 SECTION 4. APPROPRIATIONS - STATE SCHOLARSHIP - FEDERAL. There is  
 12 hereby appropriated, to the State Board of Higher Education, to be payable  
 13 from the federal funds as designated by the Chief Fiscal Officer of the State,  
 14 for Grants-in-Aid of the State Scholarship - Federal Program of the State  
 15 Board of Higher Education for the biennial period ending June 30, 1999, the  
 16 following:

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18	<del>ITEM</del>		<del>FISCAL YEARS</del>	
19	NO.		1997-98	1998-99
20	(01)	GRANTS/AIDS - ST. SCHOLARSHIPS - FEDERAL	<u>\$ 316,147</u>	<u>\$ 316,147</u>

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22 SECTION 5. APPROPRIATIONS - DWIGHT D. EISENHOWER GRANTS. There is  
 23 hereby appropriated, to the State Board of Higher Education, to be payable  
 24 from the federal funds as designated by the Chief Fiscal Officer of the State,  
 25 for grants/aids of the Dwight D. Eisenhower Program of the State Board of  
 26 Higher Education for the biennial period ending June 30, 1999, the following:

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28	<del>ITEM</del>		<del>FISCAL YEARS</del>	
29	NO.		1997-98	1998-99
30	(01)	DWIGHT D. EISENHOWER GRANTS/AIDS	<u>\$ 639,182</u>	<u>\$ 639,182</u>

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32 SECTION 6. APPROPRIATIONS - SYSTEMIC INITIATIVE PROJECT. There is  
 33 hereby appropriated, to the State Board of Higher Education, to be payable  
 34 from the federal funds as designated by the Chief Fiscal Officer of the State,  
 35 for grants to support math/science education of the State Board of Higher

1 Education for the biennial period ending June 30, 1999, the following:

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3 ITEM	FISCAL YEARS	
4 NO.	1997-98	1998-99
5 (01) GRANTS TO SUPPORT MATH/SCIENCE EDUCATION	<u>\$ 1,842,767</u>	<u>\$ 1,842,767</u>

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8 SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the State

9 Board of Higher Education, to be payable from the Higher Education Building

10 Maintenance Fund, for maintenance of various buildings at the Institutions of

11 Higher Education by the State Board of Higher Education for the biennial

12 period ending June 30, 1999, the sum of .....\$26,000,000.

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14 SECTION 8. APPROPRIATIONS. There is hereby appropriated, to the State

15 Board of Higher Education, to be payable from the Research Development Fund,

16 for providing Arkansas Research Development Program Grants to Institutions of

17 Higher Education by the State Board of Higher Education for the biennial

18 period ending June 30, 1999, the sum of.....\$10,000,000.

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20 SECTION 9. The Department of Finance and Administration shall be the

21 disbursing officer for the appropriations made in this Act.

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23 SECTION 10. SPECIAL LANGUAGE. CARRY FORWARD. The balance of the funds

24 and appropriations as provided in Section 3 of this Act for the Governor's

25 Scholars Program and the Academic Challenge Scholarships Program which remain

26 on June 30, 1998, shall be carried forward and made available for the same

27 purpose for the fiscal year ending June 30, 1999.

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29 SECTION 11. The funds which shall be available during either year of the

30 biennium for any Item No. or category of financial aid in Section 3 shall not

31 be reallocated or reduced below the amount of funds expended during the fiscal

32 year ending June 30, 1997, for the purpose of funding any increase in the

33 Governor's Scholars Program or Academic Challenge Scholarship Program approved

34 by the Eighty First General Assembly. Any funds distributed through the

35 provisions of the Revenue Stabilization Law to the Higher Education Grants

1 Fund Account during the 1997-99 biennium above \$7,436,548 each fiscal year  
2 shall be used exclusively to provide additional funding for appropriations  
3 made for the Academic Challenge Scholarships Program and the Governor's  
4 Scholars Program.

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6 SECTION 12. Should the funding of Governor's Scholars Program exceed the  
7 funding level of the fiscal year ending June 30, 1997, and the number of  
8 scholarships awarded increases to 200 or more as a result of the actions of  
9 the Eighty First General Assembly, the State Board of Higher Education shall  
10 make every effort to assure a geographic distribution of the awards without  
11 compromising the academic criteria established for such awards.

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13 SECTION 13. In calculating the amount of an award under Arkansas Code  
14 6-82-312(b), the State Board of Higher Education shall presume that the amount  
15 of tuition, room and board, and fees are the amounts which were published by  
16 the approved institution for the 1996-97 academic year, adjusted annually for  
17 inflation.

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19 SECTION 14. SPECIAL LANGUAGE. SCHOLARSHIPS FOR ARKANSAS REHABILITATION  
20 SERVICES CLIENTS. Upon certification of scholarship awards by the Arkansas  
21 Rehabilitation Services, the State Board of Higher Education shall award the  
22 money to the institution of higher education. Monies appropriated in Item  
23 (16) of Section 3 of this Act are restricted to the cost of tuition, fees,  
24 books and other education-related expenses with no administrative costs  
25 allowed.

26 Individuals eligible to receive funds are those individuals with physical  
27 and/or mental disabilities who have completed an assessment process with ARS  
28 Rehabilitation Counselors and who have been determined to be eligible for  
29 vocational rehabilitation services and who have established a vocational goal  
30 which would require participation in Post-Secondary Education programs in  
31 order to achieve an appropriate employment outcome. Such individuals should  
32 be required to meet ARS's existing economic need criteria in order to receive  
33 services which require the expenditure of agency funds.

34 The State Board of Higher Education shall not transfer funds and/or  
35 appropriation from Item (16) of Section 3 of this Act to any other item in

1 this Act.

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3       SECTION 15. SPECIAL LANGUAGE. The State Board of Higher Education will  
4 work with the state college and university president's council to review,  
5 revise and develop funding formulae which will, in principle, seek to provide  
6 fair and equitable state support to all postsecondary students across the  
7 state, regardless of the state institution attended, while at the same time  
8 recognizing (a) the different needs for lower level, upper level, and graduate  
9 level instruction at the various institutions, (b) the requirements for  
10 specialized equipment and labs and smaller class sizes in some disciplines and  
11 (c) unique missions, such as agricultural extension services, research,  
12 medical sciences, workforce development, and public service; and (d) growth,  
13 economies of scale and other appropriate factors. The formula will be  
14 developed in consensus with the state college and university president's  
15 council and presented to the Joint Budget Committee of the General Assembly  
16 for review.

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18       SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
19 authorized by this Act shall be limited to the appropriation for such agency  
20 and funds made available by law for the support of such appropriations; and  
21 the 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 control  
24 laws of this State, where applicable, and regulations promulgated by the State  
25 Board of Finance and Administration, as authorized by law, shall be strictly  
26 complied with in disbursement of said funds.

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28       SECTION 17. LEGISLATIVE INTENT. It is the intent of the General  
29 Assembly that any funds disbursed under the authority of the appropriations  
30 contained in this Act shall be in compliance with the stated reasons for which  
31 this Act was adopted, as evidenced by the Agency Requests, Executive  
32 Recommendations and Legislative Recommendations contained in the budget  
33 manuals prepared by the State Board of Finance and Administration, letters, or  
34 summarized oral testimony in the official minutes of the Arkansas Legislative  
35 Council or Joint Budget Committee which relate to its passage and adoption.

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SECTION 18. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 19. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 20. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 21. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997.

*/s/Rep. Wagner, et al*

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