

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/23/99

A Bill

SENATE BILL 666

5 By: Senator Gordon
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For An Act To Be Entitled

9 "AN ACT TO CREATE THE ARKANSAS RESEARCH MATCHING FUND;
10 TO PRESCRIBE BASIC GUIDELINES ON HOW THE FUND SHOULD
11 BE USED; TO DECLARE AN EMERGENCY; AND FOR OTHER
12 PURPOSES. "

Subtitle

14 "TO CREATE THE ARKANSAS RESEARCH MATCHING
15 FUND; TO PRESCRIBE GUIDELINES FOR THE
16 USE OF THE FUND. "
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Legislative Intent. A national ranking of Arkansas' research
23 performance in comparison with other states places our state 49th. In order
24 to be competitive in our economic and educational endeavors, it is critical
25 that our research capabilities be upgraded. To be competitive will require a
26 commitment on behalf of the state that is specifically targeted to improving
27 our ranking among the states in the areas of science and engineering
28 graduates, university research and development, federal research and
29 development and Small Business Innovation Research (SBIR) grants. The
30 commitment necessary to improve our ranking is to be found in investing in
31 research and research infrastructure.
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33 SECTION 2. Creation of the Arkansas Research Matching Fund. There is
34 hereby created the Arkansas Research Matching Fund. This Fund shall be
35 administered by the Arkansas Science and Technology Authority and shall be for
36 the benefit of colleges and universities located within the State of Arkansas.

1 In order to qualify for the research monies to be made available through this
2 Fund, schools must be a two-year or four-year accredited institution of post-
3 secondary education. Consortiums of eligible institutions are eligible and
4 encouraged to apply for these funds. The Fund shall be focused on basic and
5 strategic research.

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7 SECTION 3. Administration of Fund.

8 (a) In order to obtain monies from this Fund:

9 (1) A college or university may provide the Arkansas Science and
10 Technology Authority with the research grant proposal for federal funds,
11 submitted with a letter of intent to apply for match, to one of the funding
12 agencies identified in Section 5(a);

13 (2) A college or university shall apply to the Arkansas Science and
14 Technology Authority for a match from this Fund, in writing, within two weeks
15 of the notice of an award of federal funds from one of the funding agencies
16 identified in Section 5(a). In addition to the grant proposal submitted to
17 the federal agency, the application shall include an approved budget and an
18 official notice of the grant award from the federal funding agency; and

19 (3) A college or university shall adhere to the rules and
20 regulations, which may be promulgated by the Arkansas Science and Technology
21 Authority for administration of this Fund.

22 (b) The Arkansas Science and Technology Authority shall:

23 (1) Upon receipt of an application for matching funds to match
24 federal funds from one of the funding agencies identified in Section 5(a),
25 establish a chronological order of match eligibility;

26 (2) Promptly review applications for matching funds, in the order
27 of receipt of the applications for match, for consistency with this act; and

28 (3) The Arkansas Science and Technology Authority Board of
29 Directors shall insure that no commitments for matching funds shall be made in
30 excess of funds available for any given year and shall review and approve
31 those applications which have: (A) provided the information on the application
32 for matching funds in accordance with the provisions of this act; (B) included
33 an official notice of award of a research grant from one of the funding
34 agencies identified in Section 5 (a); and (C) filed a proposal for federal
35 funding consistent with the types of research authorized by this act.

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1 SECTION 4. Disbursement of Funds.

2 (a) The matching funds authorized by this act are to be used primarily
3 to attract federal funds to the state for basic and strategic research.

4 (b) The Arkansas Science and Technology Authority Board of Directors may
5 approve multi-year research grants, but disbursements of the matching funds
6 authorized by this act shall be for no more than a twelve (12) month period.

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8 SECTION 5. Funds for Match. Funds used under the provisions of this act
9 shall adhere to the following criteria:

10 (1) Be used for the purposes of matching an approved grant from an
11 eligible federal agency, limited to the following:

12 (A) National Science Foundation;

13 (B) National Institutes of Health;

14 (C) Department of Energy;

15 (D) Department of Defense;

16 (E) Environmental Protection Agency;

17 (F) National Aeronautics and Space Administration;

18 (G) Department of Agriculture;

19 (H) Department of Transportation;

20 (I) Department of Commerce; and

21 (J) Department of Education.

22 (2) Proposals for federal funds that contain a specific state/federal
23 match requirement, for the purposes of this act, shall not be matched at a
24 rate of more than fifty percent (50%); except that any portion of match over
25 fifty percent (50%) may be borne by the college or university. Proposals for
26 federal funds that do not contain a specific state/federal match requirement,
27 for the purposes of this act, shall not be matched at a rate of more than ten
28 percent (10%), provided that the state share is matched dollar for dollar by
29 the college or university for a combined match of not more than twenty percent
30 (20%); except that any portion of match over twenty percent (20%) may be borne
31 by the college or university; and

32 (3) A state financial match requirement of at least *twenty thousand*
33 *dollars* (\$20,000) for equipment matching and at least fifty thousand dollars
34 (\$50,000) for research project matching.

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36 SECTION 6. Reporting. The Arkansas Science and Technology Authority

1 shall present to the Governor's Office and the Arkansas General Assembly a
2 report on the investment from the Arkansas Research Matching Fund by April 1
3 of each even numbered year.

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5 SECTION 7. Prohibition. None of the monies appropriated by the Arkansas
6 General Assembly for the Arkansas Research Matching Fund shall be used for the
7 construction of new facilities.

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9 SECTION 8. Rules and Regulations. The Arkansas Science and Technology
10 Authority has the authority to establish guidelines by which eligible
11 institutions might access research funds created by this act through the
12 promulgation of administrative rules and regulations in accordance with the
13 Arkansas Administrative Procedure Act, beginning at § 25-15-201.

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15 SECTION 9. Effective Date. Matching grants may be authorized under this
16 act for any federal funding awarded on or after July 1, 1999.

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18 SECTION 10. All provisions of this act of a general and permanent nature
19 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
20 Revision Commission shall incorporate the same in the Code.

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22 SECTION 11. If any provision of this act or the application thereof to
23 any person or circumstance is held invalid, such invalidity shall not affect
24 other provision or applications of the act which can be given effect without
25 the invalid provision or application, and to this end the provisions of this
26 act are declared to be severable.

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28 SECTION 12. All laws or parts of laws in conflict with this act are
29 hereby repealed.

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31 SECTION 13. Emergency Clause. It is hereby found and determined by the
32 Eighty-second General Assembly that in order for the benefits of this act to
33 be accessible in a timeframe consistent with the availability of appropriated
34 funds, it is necessary for the act to be effective on July 1, 1999; that the
35 benefits of this act may provide opportunities that would not be available
36 should funds be available and the means to use those funds not be consistent;

1 and that funding cycles for federal grants may be present in the interim.
2 Therefore, an emergency is declared to exist and this act being necessary for
3 the preservation of the public peace, health and safety shall be in full force
4 and effect on and after July 1, 1999.

5 /s/ Gordon
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