

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas

As Engrossed: S3/11/03

84th General Assembly

A Bill

Regular Session, 2003

SENATE BILL 503

By: Senators Broadway, Bryles, *Critcher, Gullett, Miller*

By: Representatives Cleveland, White, Ormond, Childers, Hutchinson, Wood, *Dickinson, Weaver, Hickinbotham, Milligan*

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING
ADDITIONAL FUNDING AND APPROPRIATION TO THE TWO
YEAR COLLEGES FOR EQUITY AND FULLY FUNDING
EXISTING STUDENTS BY THE DEPARTMENT OF HIGHER
EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30,
2005; TO CREATE THE TWO YEAR COLLEGE MODEL
FORMULA FUND; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF HIGHER
EDUCATION - TWO YEAR COLLEGE MODEL
FORMULA FUND APPROPRIATION FOR THE
2003-2005 BIENNIUM.

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

SECTION 1. APPROPRIATION - TWO YEAR COLLEGE MODEL FORMULA FUND. There is hereby appropriated, to the Department of Higher Education, to be payable from the Two Year College Model Formula Fund, for providing additional funding and appropriation for transfer to the fund from which each of the various two year colleges draws its general revenue support, for equity and fully funding existing students based upon and in accordance with the computations included in the formula adopted and recommended by the Arkansas Higher Education Coordinating Board in July, 2002 in the order of first, the



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“Cost of 2.7% Increase”, then “Restoration of 70% of WF2000 Loss 1997-98 to 2002-03” and then “The Greater of a Distribution Based on Mini-Model or a Distribution Based on a 2.7% Increase on General Revenue Portion of Salaries”, by the Department of Higher Education for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) APPROPRIATION & FUND TRANSFERS TO		
VARIOUS TWO YEAR COLLEGES-EQUITY &		
STUDENT FUNDING	\$ 29,872,890	\$ 34,026,223

SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TWO YEAR COLLEGE MODEL FORMULA FUND ALLOCATIONS. The Department of Higher Education shall transfer the following amounts of appropriation and funds as contained in Section 1 of this Act or so much as is available to the fund from which each of the various two year colleges draws its general revenue support, based upon and in accordance with the computations included in the formula adopted and recommended by the Arkansas Higher Education Coordinating Board in July, 2002 in the order of first, the “Cost of 2.7% Increase”, then “Restoration of 70% of WF2000 Loss 1997-98 to 2002-03” and then “The Greater of a Distribution Based on Mini-Model or a Distribution Based on a 2.7% Increase on General Revenue Portion of Salaries”:

	<u>ALLOCATION</u>	
<u>TWO YEAR COLLEGE</u>	<u>FY2003-04</u>	<u>FY2004-05</u>
<u>PULASKI TECHNICAL COLLEGE</u>	<u>\$8,579,908</u>	<u>\$9,057,397</u>
<u>NORTHWEST ARKANSAS COMM COLL</u>	<u>4,362,927</u>	<u>4,692,317</u>
<u>SOUTHEAST ARKANSAS COLLEGE</u>	<u>2,381,544</u>	<u>2,597,538</u>
<u>ASU-MOUNTAIN HOME</u>	<u>1,616,684</u>	<u>1,748,433</u>
<u>ASU-NEWPORT</u>	<u>930,659</u>	<u>1,027,381</u>
<u>UA-COMM COLL AT BATESVILLE</u>	<u>1,695,757</u>	<u>1,842,073</u>
<u>UA-COMM COLL AT MORRILTON</u>	<u>1,761,748</u>	<u>1,930,707</u>
<u>ASU-BEEBE</u>	<u>342,085</u>	<u>610,305</u>

1	<u>MISSISSIPPI COUNTY COMM COLL</u>	<u>1,107,750</u>	<u>1,318,291</u>
2	<u>OZARKA COLLEGE</u>	<u>899,319</u>	<u>1,005,857</u>
3	<u>GARLAND COUNTY COMM COLL</u>	<u>1,016,438</u>	<u>1,237,112</u>
4	<u>BLACK RIVER TECHNICAL COLL</u>	<u>1,373,765</u>	<u>1,579,493</u>
5	<u>OUACHITA TECHNICAL COLL</u>	<u>863,929</u>	<u>978,325</u>
6	<u>COSSATOT COMM COLL-UA</u>	<u>928,831</u>	<u>1,043,178</u>
7	<u>RICH MOUNTAIN COMM COLL</u>	<u>437,314</u>	<u>534,799</u>
8	<u>UA-COMM COLL AT HOPE</u>	<u>346,624</u>	<u>488,782</u>
9	<u>NORTH ARKANSAS COLLEGE</u>	<u>233,652</u>	<u>462,372</u>
10	<u>MID-SOUTH COMM COLL</u>	<u>344,890</u>	<u>461,733</u>
11	<u>PHILLIPS COMM COLL-UA</u>	<u>273,007</u>	<u>538,957</u>
12	<u>EAST ARKANSAS COMM COLL</u>	<u>114,868</u>	<u>288,806</u>
13	<u>SAU-TECH</u>	<u>93,137</u>	<u>237,257</u>
14	<u>SOUTH ARKANSAS COMM COLL</u>	<u>168,054</u>	<u>345,110</u>
15	<u>TOTAL AMOUNT ALLOCATED</u>	<u>\$29,872,890</u>	<u>\$34,026,223</u>

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18 SECTION 3. SPECIAL LANGUAGE. TWO YEAR COLLEGE MODEL FORMULA FUND
 19 CREATED. Arkansas Code Title 19, Chapter 5, Subchapter 3 is amended by adding
 20 the following new subsection:

21 (aa) (1) Two Year College Model Formula Fund. There is established on the
 22 books of the Treasurer of State, the Auditor of State and the Chief Fiscal
 23 Officer of the State a fund to be known as the Two Year College Model Formula
 24 Fund, there to be used for the distribution of funds to the various two year
 25 colleges by the Department of Higher Education as may be authorized by law.

26 (2) The fund shall consist of:

27 (A) Such general revenues as may be provided by law; and

28 (B) Any other funds made available by the General Assembly.

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30 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
 32 RESTRICTIONS. If funding of any of the elements of the formula enumerated in
 33 this act are provided through other legislation, then only the remaining
 34 elements shall be financed through this act and only to the extent necessary
 35 such that the additional funds, when added to the funds in this act, do not
 36 exceed the appropriations provided herein.

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

3
4 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
5 by this act shall be limited to the appropriation for such agency and funds
6 made available by law for the support of such appropriations; and the
7 restrictions of the State Purchasing Law, the General Accounting and
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
9 Procedures and Restrictions Act, or their successors, and other fiscal
10 control laws of this State, where applicable, and regulations promulgated by
11 the Department of Finance and Administration, as authorized by law, shall be
12 strictly complied with in disbursement of said funds.

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

22
23 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
24 Assembly, that the Constitution of the State of Arkansas prohibits the
25 appropriation of funds for more than a two (2) year period; that the
26 effectiveness of this Act on July 1, 2003 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the Regular Session, the delay in the effective
29 date of this Act beyond July 1, 2003 could work irreparable harm upon the
30 proper administration and provision of essential governmental programs.
31 Therefore, an emergency is hereby declared to exist and this Act being
32 necessary for the immediate preservation of the public peace, health and
33 safety shall be in full force and effect from and after July 1, 2003.

34
35 /s/ Broadway
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