

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/17/05 S4/5/05

A Bill

SENATE BILL 453

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HIGHER EDUCATION FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF HIGHER
17 EDUCATION APPROPRIATION FOR THE
18 2005-2007 BIENNIUM.
19
20
21

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

24 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby
25 established for the Department of Higher Education for the 2005-2007
26 biennium, the following maximum number of regular employees whose salaries
27 shall be governed by the provisions of the Uniform Classification and
28 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
29 all laws amendatory thereto. Provided, however, that any position to which a
30 specific maximum annual salary is set out herein in dollars, shall be exempt
31 from the provisions of said Uniform Classification and Compensation Act. All
32 persons occupying positions authorized herein are hereby governed by the
33 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
34 Code §21-5-101), or its successor.
35

36 Maximum Annual



				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2005-2006	2006-2007
4	(1)	9960	HIGHER ED DIRECTOR	1	\$128,474	\$131,311
5	(2)	7243	HIGHER EDUCATION DEPUTY DIRECTOR	1	\$119,155	\$121,852
6	(3)	9773	HIGHER ED SENIOR ASSOC DIR	1	\$109,295	\$111,844
7	(4)	9922	DHE ASSOC DIR FOR ACADEMIC AFFAIRS	1	\$94,806	\$97,138
8	(5)	9774	HIGHER ED ASSOC DIR FOR FISCAL AFF	1	\$94,806	\$97,138
9	(6)	9978	ASST DIR FOR PLNG & ACCOUNTABILITY	1	\$80,875	\$82,961
10	(7)	9090	HE ASST DIR OF INFO SERVICES	1	\$80,875	\$82,961
11	(8)	9983	HIGHER ED COORDINATOR OF Y.O.U. PGM	1	\$72,721	\$74,652
12	(9)	9966	HIGHER ED STUDENT FIN AID MANAGER	1	\$72,721	\$74,652
13	(10)	9965	HIGHER ED COORD OF ACADEMIC PROGRAM	1	\$72,721	\$74,652
14	(11)	9623	H E COORD OF INSTITUTIONAL FINANCE	1	\$72,721	\$74,652
15	(12)	9288	HIGHER ED COORD. OF RECRUITMENT	1	\$72,721	\$74,652
16	(13)	9242	HE COORD OF FINANCIAL AID	1	\$72,721	\$74,652
17	(14)	9093	HE COORD 2-YR INST FINANCE	1	\$72,721	\$74,652
18	(15)	9092	HE COORD OF GENERAL ADMIN	1	\$72,721	\$74,652
19	(16)	9059	HIGHER ED COORD OF HEALTH EDUCATION	1	\$72,721	\$74,652
20	(17)	9022	HE COORD ACADEMIC CERTIFICATION	1	\$72,721	\$74,652
21	(18)	7091	DHE COORD OF FEDERAL PROGRAMS	2	\$72,721	\$74,652
22	(19)	9716	HE COORDINATOR OF COMMUNICATIONS	1	\$72,225	\$74,147
23	(20)	D064	SR SYSTEMS PROGRAMMER	1	GRADE 24	
24	(21)	A252	DHE FINANCIAL MANAGER	3	GRADE 24	
25	(22)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
26	(23)	R088	HIGHER ED FINANCIAL OFFICER	1	GRADE 22	
27	(24)	R096	HIGHER ED ASST COORD STUD FIN AID	4	GRADE 22	
28	(25)	D036	SR PROGRAMMER/ANALYST	1	GRADE 21	
29	(26)	R240	DHE DATA COLLECTION ANALYST	2	GRADE 20	
30	(27)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
31	(28)	R444	BUSINESS CONTROLLER I	1	GRADE 15	
32	(29)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15	
33	(30)	K153	SECRETARY II	4	GRADE 13	
34			MAX. NO. OF EMPLOYEES	41		

35

36 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby authorized,

1 for the Department of Higher Education for the 2005-2007 biennium, the
 2 following maximum number of part-time or temporary employees, to be known as
 3 "Extra Help", payable from funds appropriated herein for such purposes:
 4 seven (7) temporary or part-time employees, when needed, at rates of pay not
 5 to exceed those provided in the Uniform Classification and Compensation Act,
 6 or its successor, or this act for the appropriate classification.

7
 8 *SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby*
 9 *appropriated, to the Department of Higher Education, to be payable from the*
 10 *Department of Higher Education Fund Account, for personal services, operating*
 11 *expenses and grants of the Department of Higher Education for the biennial*
 12 *period ending June 30, 2007, the following:*

<i>ITEM</i>	<i>FISCAL YEARS</i>	
<u><i>NO.</i></u>	<u><i>2005-2006</i></u>	<u><i>2006-2007</i></u>
16 (01) <i>REGULAR SALARIES</i>	\$ 2,239,472	\$ 2,299,543
17 (02) <i>EXTRA HELP</i>	25,000	25,000
18 (03) <i>PERSONAL SERVICES MATCHING</i>	573,025	584,252
19 (04) <i>MAINT. & GEN. OPERATION</i>		
20 (A) <i>OPER. EXPENSE</i>	531,191	531,191
21 (B) <i>CONF. & TRAVEL</i>	30,000	30,000
22 (C) <i>PROF. FEES</i>	25,000	25,000
23 (D) <i>CAP. OUTLAY</i>	13,000	13,000
24 (E) <i>DATA PROC.</i>	0	0
25 (05) <i>YOUTH OPPORTUNITIES UNLIMITED</i>		
26 <i>GRANTS/AIDS</i>	<u>75,000</u>	<u>75,000</u>
27 <i>TOTAL AMOUNT APPROPRIATED</i>	<u>\$ 3,511,688</u>	<u>\$ 3,582,986</u>

28
 29 *SECTION 4. APPROPRIATION - STUDENT ASSISTANCE GRANTS AND VARIOUS*
 30 *SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher*
 31 *Education, to be payable from the Higher Education Grants Fund Account, for*
 32 *providing student assistance grants and various scholarships as provided by*
 33 *law by the Department of Higher Education for the biennial period ending June*
 34 *30, 2007, the following:*

35
 36 *ITEM* *FISCAL YEARS*

1	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
2	(01) NATIONAL GUARD TUITION ASSISTANCE		
3	PROGRAM	\$ 500,000	\$ 500,000
4	(02) JR/SR MINORITY TEACHER SCHOLARSHIPS	300,000	300,000
5	(03) MINORITY MASTERS FELLOWS	280,000	280,000
6	(04) SECOND EFFORT SCHOLARSHIPS	20,000	20,000
7	(05) SREB MINORITY DOCTORAL SCHOLARS	200,000	200,000
8	(06) TUITION ADJUSTMENT	350,000	350,000
9	(07) EMERGENCY SECONDARY EDUCATION LOANS	81,717	81,717
10	(08) TARGETED TEACHER DEVELOPMENT PROGRAM	2,000,000	2,500,000
11	(09) AR ACADEMIC CHALLENGE SCHOLARSHIPS	30,174,734	30,174,734
12	(10) ARKANSAS GOVERNOR'S SCHOLARS	9,500,000	9,500,000
13	(11) STUDENT UNDERGRADUATE RESEARCH		
14	FELLOWSHIP PROGRAM (SURF)	152,050	153,987
15	(12) TEACHER/ADMINISTRATOR GRANTS	2,000,000	2,000,000
16	(13) WORKFORCE IMPROVEMENT GRANTS	3,710,345	3,710,345
17	(14) AR GEOGRAPHICAL CRITICAL NEEDS		
18	MINORITY TEACHER SCHOLARSHIPS	200,000	200,000
19	(15) DEPENDENTS OF LAW ENFORCEMENT		
20	OFFICERS, ETC SCHOLARSHIPS	120,000	120,000
21	(16) DEPENDENTS OF POWS, MIAS, KIAS-TUITION		
22	WAIVER SCHOLARSHIPS	75,000	75,000
23	(17) FACULTY/ADMINISTRATOR DEVELOPMENT		
24	FELLOWS MATCHING	<u>30,000</u>	<u>30,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 49,693,846</u>	<u>\$ 50,195,783</u>

26

27 SECTION 5. APPROPRIATION - STATE SCHOLARSHIP - FEDERAL. There is hereby
 28 appropriated, to the Department of Higher Education, to be payable from the
 29 federal funds as designated by the Chief Fiscal Officer of the State, for
 30 grants-in-aid of the Department of Higher Education - State Scholarship -
 31 Federal Program for the biennial period ending June 30, 2007, the following:

32

33	ITEM	FISCAL YEARS	
34	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
35	(01) GRANTS AND AID-STATE		
36	SCHOLARSHIPS-FEDERAL	<u>\$ 520,000</u>	<u>\$ 520,000</u>

SECTION 6. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS. There is hereby appropriated, to the Department of Higher Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Higher Education - Technical Education - Federal Programs for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 145,442	\$ 149,304
(02) PERSONAL SERVICES MATCHING	35,504	36,242
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	85,711	85,711
(B) CONF. & TRAVEL	19,000	19,000
(C) PROF. FEES	73,717	73,717
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 359,374</u>	<u>\$ 363,974</u>

SECTION 7. APPROPRIATION - IMPROVING TEACHER QUALITY. There is hereby appropriated, to the Department of Higher Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses and grants-in-aid of the Department of Higher Education - Improving Teacher Quality Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 26,856	\$ 26,856
(B) CONF. & TRAVEL	13,000	13,000
(C) PROF. FEES	8,000	8,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) IMPROVING TEACHER QUALITY GRANTS/AID	<u>1,517,402</u>	<u>1,517,402</u>

1 TOTAL AMOUNT APPROPRIATED \$ 1,565,258 \$ 1,565,258

2

3 SECTION 8. APPROPRIATION - HIGHER EDUCATION BUILDING MAINTENANCE. There is
 4 hereby appropriated, to the Department of Higher Education, to be payable
 5 from the Higher Education Building Maintenance Fund, for maintenance of
 6 various buildings at the Institutions of Higher Education by the Department
 7 of Higher Education for the biennial period ending June 30, 2007, the sum of
 8\$1,800,000.

9

10 SECTION 9. APPROPRIATION - RESEARCH DEVELOPMENT PROGRAM. There is hereby
 11 appropriated, to the Department of Higher Education, to be payable from the
 12 Higher Education Research Development Fund, for providing Arkansas Research
 13 Development Program Grants to Institutions of Higher Education by the
 14 Department of Higher Education for the biennial period ending June 30, 2007,
 15 the sum of.....\$2,000,000.

16

17 SECTION 10. APPROPRIATION - HEALTH EDUCATION GRANTS AND LOANS. There is
 18 hereby appropriated, to the Department of Higher Education, to be payable
 19 from the Higher Education Grants Fund Account, for payments of the contracts
 20 with participating out-of-state institutions of higher learning in the fields
 21 of dentistry, optometry, osteopathy, veterinary medicine, chiropractic and
 22 podiatry for the education of Arkansas citizens by the Department of Higher
 23 Education for the biennial period ending June 30, 2007, the following:

24

25 ITEM	FISCAL YEARS	
26 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
27 (01) DENTAL AID - GRANTS	\$ 1,495,000	\$ 1,610,000
28 (02) DENTAL AID - LOANS	270,000	360,000
29 (03) CHIROPRACTIC AID	255,000	260,000
30 (04) OPTOMETRY AID	316,400	341,600
31 (05) OSTEOPATHY AID	166,700	179,800
32 (06) PODIATRY AID	99,600	111,800
33 (07) VETERINARY AID	<u>851,094</u>	<u>913,347</u>
34 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,453,794</u>	<u>\$ 3,776,547</u>

35

36 SECTION 11. APPROPRIATION - CASH. There is hereby appropriated, to the

1 Department of Higher Education, to be payable from the cash fund deposited in
 2 the State Treasury as determined by the Chief Fiscal Officer of the State,
 3 for operating expenses of the Department of Higher Education for the biennial
 4 period ending June 30, 2007, the following:

6 ITEM	FISCAL YEARS	
7 NO.	2005-2006	2006-2007
8 (01) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSE	\$ 4,380	\$ 4,380
10 (B) CONF. & TRAVEL	0	0
11 (C) PROF. FEES	0	0
12 (D) CAP. OUTLAY	0	0
13 (E) DATA PROC.	<u>0</u>	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u>\$ 4,380</u>	<u>\$ 4,380</u>

15
 16 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOANS. In
 18 order to provide timely payments under financial aid appropriations made in
 19 this Act, the Chief Fiscal Officer of the State is authorized to provide
 20 loans from the Budget Stabilization Trust Fund to make available all funds
 21 attributable to the financial aid programs under the then current official
 22 revenue estimates. In the event of an unanticipated state revenue shortfall,
 23 any such loans remaining at the end of a fiscal year shall be repaid from
 24 revenues distributed in the first two months of the next fiscal year. Funds
 25 for appropriations made in this Act for purposes other than financial aid
 26 shall not be affected by the application of this provision.

27 The provisions of this section shall be in effect only from July 1, ~~2003~~
 28 2005 through June 30, ~~2005~~ 2007.

29
 30 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORK
 32 FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made
 33 available to the various technical colleges have been determined as set out
 34 in Arkansas Code 26-51-205(d)(2), such documents as may be necessary shall be
 35 processed so that funds may be transferred from the Work Force 2000
 36 Development Fund to the State Treasury fund or fund account from which the

1 technical college draws its general revenue support. Such funds as may be
2 transferred shall not exceed ~~77.19%~~ 93.69% of the total funds available from
3 the Work Force 2000 Development Fund during each fiscal year of the biennial
4 period ending June 30, ~~2005~~ 2007.

5 In the event that a technical institute or comprehensive lifelong learning
6 center which receives support from the Work Force 2000 Development Fund as
7 determined by law transfers or merges into the Arkansas Technical College and
8 Community College System for which Work Force 2000 Development Fund monies
9 are determined by law, then the actual amount of support from the Work Force
10 2000 Development Fund in the preceding fiscal year for such educational
11 institution shall be made available irrespective of any other provision of
12 law which sets out maximum levels of support from such fund.

13 The provisions of this section shall be in effect only from July 1, ~~2003~~
14 2005 through June 30, ~~2005~~ 2007.

15

16 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BUILDING
18 MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited into the
19 Higher Education Building Maintenance Fund, the next \$10,000,000 or so much
20 as is collected, is to be transferred to the Research Development Fund there
21 to be used as provided by law.

22 The provisions of this section shall be in effect only from July 1, ~~2003~~
23 2005 through June 30, ~~2005~~ 2007.

24

25 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
27 EXPENDITURES. Proceeds derived from the repayment of loans as authorized *in*
28 *Items (07), (02), (03) and (08) of Section 4 of this Act* for the Emergency
29 Secondary Education Loans, the JR/SR Minority Teacher Scholars, ~~and~~ the
30 Minority Masters Fellows and the Targeted Teacher Development Program shall
31 be deposited into the State Treasury as "Refunds to Expenditures."

32 The provisions of this section shall be in effect only from July 1, ~~2003~~
33 2005 through June 30, ~~2005~~ 2007.

34

35 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY

1 FORWARD. The balance of the funds and *appropriations* as provided in *Section*
2 *4 of this Act for the Governor's Scholars Program and the Academic Challenge*
3 *Scholarships Program which remain* on June 30, ~~2004~~ 2006, shall be carried
4 forward and made available for the same purpose for the fiscal year ending
5 June 30, ~~2005~~ 2007.

6 The provisions of this section shall be in effect only from July 1, ~~2003~~
7 2005 through June 30, ~~2005~~ 2007.

8

9 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NATIONAL
11 GUARD TUITION ASSISTANCE PROGRAM. In addition to any other provisions of law,
12 any student who receives assistance from the appropriation made for the
13 "National Guard Tuition Assistance Program" in this Act shall repay any loans
14 and/or assistance if the student receives a discharge that is a less than
15 Honorable *Discharge*. Priority for funding shall be given to students already
16 receiving assistance from the National Guard Tuition Assistance Program.

17 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005
18 through June 30, ~~2005~~ 2007.

19

20 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
22 GOVERNOR'S SCHOLARS PROGRAM. Should the funding of Governor's Scholars
23 Program exceed the funding level of the previous fiscal year and the number
24 of scholarships awarded increases to 200 or more, the Department of Higher
25 Education shall make every effort to assure a geographic distribution of the
26 awards without compromising the academic criteria established for such
27 awards.

28 The provisions of this section shall be in effect only from July 1, ~~2003~~
29 2005 through June 30, ~~2005~~ 2007.

30

31 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE
33 SAVINGS BONDS. The Department of Higher Education shall adopt rules and
34 regulations for the allocation of the funds reappropriated for the
35 development of projects at State Institutions of Higher Education and the
36 payment of project costs and expenses of the issuance of the bonds of the

1 Arkansas College Savings General Obligation Bonds Program to ensure that
2 funds are allocated and expended in a manner consistent with the provisions
3 of the Internal Revenue Code applicable to the Arkansas College Savings
4 General Obligation Bond Program (Program). The funds reappropriated for the
5 development of projects at State Institutions of Higher Education and the
6 payment of project costs and expenses of the issuance of the bonds of the
7 Arkansas College Savings General Obligation Bonds Program shall be allocated
8 and expended pursuant to the provisions of Arkansas Code 6-62-701 et. seq.
9 and other laws of this State. The expenditure and allocation of funds shall
10 be exempt from any other provisions of state law which conflicts with any
11 provision of the rules and regulations which rules and regulations are
12 required to ensure the compliance of the Program with the applicable
13 provisions of the Internal Revenue Code.

14 The provisions of this section shall be in effect only from July 1, ~~2003~~
15 2005 through June 30, ~~2005~~ 2007.

16

17 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE
19 SAVINGS BONDS LIMITATIONS. The total principal amount of bonds to be issued
20 during any fiscal biennium shall not exceed three-hundred million dollars
21 (\$300,000,000), nor shall the principal amount of bonds outstanding at any
22 time have debt service requirements in excess of twenty-four million dollars
23 (\$24,000,000) in any one fiscal year *from all state revenue sources*.

24 The provisions of this section shall be in effect only from July 1, ~~2003~~
25 2005 through June 30, ~~2005~~ 2007.

26

27 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
29 FORWARD - HEALTH EDUCATION GRANTS. The balance of the funds and
30 *appropriations as provided for "Health Education Grants" in this Act* which
31 remain on June 30, ~~2004~~ 2006, shall be carried forward and made available for
32 the same purposes for the fiscal year ending June 30, ~~2005~~ 2007.

33 The provisions of this section shall be in effect only from July 1, ~~2003~~
34 2005 through June 30, ~~2005~~ 2007.

35

36 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
2 EDUCATION GRANTS - PRIORITIES. The Arkansas Higher Education Coordinating
3 Board, after consulting with the recognized associations of each of the
4 applicable medical professions and other interested persons, shall determine
5 the priorities for the applicable programs enumerated in the appropriation
6 made for "Health Education *Grants and Loans*" in this Act. The Arkansas
7 Department of Higher Education, if necessary, shall re-adjust the number of
8 positions for entering students to be funded for each applicable program
9 based upon the priorities determined by the board.

10 The provisions of this section shall be in effect only from July 1, ~~2003~~
11 2005 through June 30, ~~2005~~ 2007.

12
13 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FINANCIAL
15 AID PROGRAMS REPORTING. The Arkansas Department of Higher Education shall
16 report by May 30 to the House and Senate Interim Committees on Education the
17 budgeted allocation for each financial aid program funded through the Higher
18 Education Grants Fund Account for the upcoming fiscal year and projections
19 for the following year.

20 The provisions of this section shall be in effect only from July 1, ~~2003~~
21 2005 through June 30, ~~2005~~ 2007.

22
23 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
25 AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that
26 receives state scholarship funds administered by the Arkansas Department of
27 Higher Education shall be subject to audit/review of such funds by the
28 Division of Legislative Audit, upon approval of the Legislative Joint Audit
29 Committee.

30 The provisions of this section shall be in effect only from July 1, ~~2003~~
31 2005 through June 30, ~~2005~~ 2007.

32
33 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AUDIT
35 DATA. All post-secondary institutions shall provide to the Arkansas
36 Department of Higher Education a copy of the Integrated Post-Secondary

1 Education Data System (IPEDS) within three weeks following the IPEDS due
2 date, which shall be subject to audit by the Arkansas Department of Higher
3 Education.

4 The provisions of this section shall be in effect only from July 1, ~~2003~~
5 2005 through June 30, ~~2005~~ 2007.

6
7 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
9 APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY
10 TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of
11 Higher Education shall determine the amount available, up to \$200,000 per
12 fiscal year, to fund the Arkansas Geographical Critical Needs Minority
13 Teacher Scholarships and shall certify to the Chief Fiscal Officer of the
14 State and the State Treasurer such amount as is required to be transferred
15 from the Higher Education Grants Fund Account. Upon receiving such
16 certification, the Chief Fiscal Officer of the State and the State Treasurer
17 shall cause to be transferred the necessary funds and appropriation to the
18 fund account of the University of Arkansas at Pine Bluff for implementation
19 of this program. The University of Arkansas at Pine Bluff may use up to
20 twenty percent (20%) of the funds and appropriation for administration of the
21 program.

22 The provisions of this section shall be in effect only from July 1, ~~2003~~
23 2005 through June 30, ~~2005~~ 2007.

24
25 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
27 FOR SALARY INCREASES. New funding through the Revenue Stabilization Act
28 determined by the Arkansas Department of Higher Education to have been for
29 salary increases for each year of the ~~2003-2005~~ 2005-2007 Biennium for
30 Institutions of Higher Education shall be used exclusively for salary
31 increases. New funding actually received for salary increases shall be spent
32 exclusively for salary increases based upon the state general revenue portion
33 of total unrestricted educational and general revenue. Funding received under
34 this provision shall be used for no purpose other than to provide such salary
35 increases. Any designated funds not used for salary increases shall be
36 recouped at the end of each fiscal year and transferred to the General

1 Revenue Allotment Reserve Fund.

2 The provisions of this section shall be in effect only from July 1, 2003
3 2005 through June 30, ~~2005~~ 2007.

4
5 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HIGHER
7 EDUCATION COORDINATOR OF RECRUITMENT FUNDING: The Chief Fiscal Officer of the
8 State shall transfer the sums of ninety thousand, four hundred seventy-four
9 dollars (\$90,474) for fiscal year ending June 30, 2006 and ninety-two
10 thousand, seven hundred seventy-six dollars (\$92,776) for fiscal year ending
11 June 30, 2007 from the Higher Education Grants Fund Account to the Department
12 of Higher Education Fund Account in order to finance the personal services
13 costs of the Higher Education Coordinator of Recruitment.

14 The provisions of this section shall be in effect only from July 1, 2003
15 2005 through June 30, ~~2005~~ 2007.

16
17 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
18 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
19 PROVISION. *Upon certification by the Director of the Department of Higher*
20 *Education that transfers are needed to make maximum utilization of funds and*
21 *appropriations provided for financial aid programs, and with the approval of*
22 *the Chief Fiscal Officer of the State and a review by the Arkansas*
23 *Legislative Council, funds and appropriations may be transferred between*
24 *financial aid programs, except that funds and appropriations may not be*
25 *transferred for such purposes from either the Governor's Scholars Program or*
26 *the Academic Challenge Scholarships Program in excess of \$1,000,000 in the*
27 *aggregate in either fiscal year. Any transfer restrictions contained in*
28 *appropriation acts for the Department of Higher Education relating to*
29 *appropriation transfers from Governor's Scholars Program and Academic*
30 *Challenge Scholarships shall not be applicable to transfers between*
31 *Governor's Scholars and Academic Challenge Scholarship appropriations.*

32 The provisions of this section shall be in effect only from ~~July 1, 2003~~
33 July 1, 2005 through ~~June 30, 2005~~ June 30, 2007.

34
35 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
36 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF

1 HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS. Upon
2 certification to and with the approval of the Chief Fiscal Officer of the
3 State, surplus funds and appropriations may be transferred between the
4 appropriations provided for "Health Education Grants" by this Act by the
5 ~~Eighty-Fourth~~ Eighty-Fifth General Assembly for Dental Aid, Optometry Aid,
6 Veterinary Aid, Podiatry Aid, Chiropractic Aid and Osteopathic Aid.

7 The provisions of this section shall be in effect only from ~~July 1, 2003~~
8 July 1, 2005 through ~~June 30, 2005~~ June 30, 2007.

9
10 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STUDENT
12 UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the Student
13 Undergraduate Research Fellowship (SURF) Program is the continued development
14 of undergraduate academic research efforts at Arkansas colleges and
15 universities. The Arkansas Department of Higher Education shall adopt rules
16 and regulations necessary for the proper administration of the Student
17 Undergraduate Research Fellowship Program. Administrative functions and
18 responsibilities may include, but not necessarily be limited to, the
19 development of eligibility criteria, collection of applications, coordination
20 of student evaluations, distribution of public notices, and funding of grants
21 for academic research purposes. Staff of the Arkansas Department of Higher
22 Education shall administer this program. The Arkansas Department of Higher
23 Education shall be authorized to expense costs associated with the
24 administration of the program, from funds made payable from the Higher
25 Education Grants Fund Account for the Student Undergraduate Research
26 Fellowship Program as authorized in Section 4 of this Act.

27
28 SECTION 32. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
29 by this act shall be limited to the appropriation for such agency and funds
30 made available by law for the support of such appropriations; and the
31 restrictions of the State Procurement Law, the General Accounting and
32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
33 Procedures and Restrictions Act, or their successors, and other fiscal
34 control laws of this State, where applicable, and regulations promulgated by
35 the Department of Finance and Administration, as authorized by law, shall be
36 strictly complied with in disbursement of said funds.

1
2 SECTION 33. LEGISLATIVE INTENT. It is the intent of the General Assembly
3 that any funds disbursed under the authority of the appropriations contained
4 in this act shall be in compliance with the stated reasons for which this act
5 was adopted, as evidenced by the Agency Requests, Executive Recommendations
6 and Legislative Recommendations contained in the budget manuals prepared by
7 the Department of Finance and Administration, letters, or summarized oral
8 testimony in the official minutes of the Arkansas Legislative Council or
9 Joint Budget Committee which relate to its passage and adoption.

10
11 SECTION 34. EMERGENCY CLAUSE. It is found and determined by the General
12 Assembly, that the Constitution of the State of Arkansas prohibits the
13 appropriation of funds for more than a two (2) year period; that the
14 effectiveness of this Act on July 1, 2005 is essential to the operation of
15 the agency for which the appropriations in this Act are provided, and that in
16 the event of an extension of the Regular Session, the delay in the effective
17 date of this Act beyond July 1, 2005 could work irreparable harm upon the
18 proper administration and provision of essential governmental programs.
19 Therefore, an emergency is hereby declared to exist and this Act being
20 necessary for the immediate preservation of the public peace, health and
21 safety shall be in full force and effect from and after July 1, 2005.

22
23 */s/ Joint Budget Committee*
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