

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 86th General Assembly  
3 Regular Session, 2007

# A Bill

SENATE BILL 702

4  
5 By: Senator Womack  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PROJECTS AS  
10 AUTHORIZED BY ACT 1282 OF 2005, THE ARKANSAS  
11 HIGHER EDUCATION TECHNOLOGY AND FACILITY  
12 IMPROVEMENT ACT, FOR THE DEPARTMENT OF HIGHER  
13 EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
14 2009; AND FOR OTHER PURPOSES.

## Subtitle

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16  
17 AN ACT FOR THE DEPARTMENT OF HIGHER  
18 EDUCATION - ARKANSAS HIGHER EDUCATION  
19 TECHNOLOGY AND FACILITY IMPROVEMENT ACT  
20 PROJECTS APPROPRIATION FOR THE 2007-2009  
21 BIENNIUM.  
22  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
26

27 SECTION 1. APPROPRIATION - TECHNOLOGY AND FACILITY PROJECTS. There is  
28 hereby appropriated, to the Department of Higher Education, to be payable  
29 from the Higher Education Technology and Facility Trust Fund, for projects at  
30 State institutions of higher education and the payment of project costs and  
31 expenses of the issuance of the bonds of the Arkansas Higher Education  
32 General Obligation Bonds Program of the Department of Higher Education for  
33 the biennial period ending June 30, 2009, the sum of.....150,000,000.  
34

35 SECTION 2. ALLOCATIONS. There is hereby allocated to the various State  
36 institutions of higher education, the Arkansas Department of Higher Education



1 and the Arkansas Development Finance Authority for the projects set out  
 2 herein, from the funds appropriated in Section 1 of this Act, there to be  
 3 used as provided by law, for the biennial period ending June 30, 2009, the  
 4 following:

<u>PROJECT TITLE</u>	<u>MAXIMUM ALLOCATION</u>
5	
6 ARKANSAS DEPARTMENT OF HIGHER EUDCATION	
7 E-Corridor - Institution Projects	\$ 9,509,746
8 TOTAL ADHE	\$ 9,509,746
9	
10	
11 ARKANSAS STATE UNIVERSITY-JONESBORO	
12 Chickasaw Renovation	4,200,000
13 Delta Center for Economic Development Phase I	1,800,000
14 Delta Center for Economic Development Phase II	<u>1,500,000</u>
15 TOTAL ASUJ	\$ 7,500,000
16	
17 ARKANSAS TECH UNIVERSITY	
18 Academic Classroom Building	\$ 6,000,000
19 AVTI Critical Maintenance	61,200
20 AVTI Instructional Technology	105,000
21 AVTI Maintenance Building	<u>407,692</u>
22 TOTAL ATU	\$ 6,573,892
23	
24 HENDERSON STATE UNIVERSITY	
25 Technology Infrastructure Upgrades	<u>\$ 2,932,980</u>
26 TOTAL HSU	\$ 2,932,980
27	
28 SOUTHERN ARKANSAS UNIVERSITY-MAGNOLIA	
29 University Science Center	<u>\$ 2,432,980</u>
30 TOTAL SAUM	\$ 2,432,980
31	
32 UNIVERSITY OF ARKANSAS- FAYETTEVILLE	
33 Ozark Hall Addition & Auditorium	<u>\$ 16,000,000</u>
34 TOTAL UAF	\$ 16,000,000
35	
36 UNIVERSITY OF ARKANSAS AT FORT SMITH	

1	Instructional Technology and Network Enhancements	\$ 2,550,000
2	Vines Building Renovation	1,250,000
3	Academic Buildings	<u>200,000</u>
4	TOTAL UAFS	\$ 4,000,000
5		
6	UNIVERSITY OF ARKANSAS – ARKANSAS SCHOOL FOR	
7	MATHEMATICS, SCIENCES, AND THE ARTS	
8	Instructional Technology	<u>\$ 300,000</u>
9	TOTAL UA-ASMSA	\$ 300,000
10		
11	UNIVERSITY OF ARKANSAS - ARKANSAS ARCHEOLOGICAL SURVEY	
12	Equipment and Technology	<u>\$ 200,000</u>
13	TOTAL UA-AS	\$ 200,000
14		
15	UNIVERSITY OF ARKANSAS - DIVISION OF AGRICULTURE	
16	Rice Research and Extension Center	<u>\$ 6,000,000</u>
17	TOTAL UA-DIVAG	\$ 6,000,000
18		
19	UNIVERSITY OF ARKANSAS - CRIMINAL JUSTICE INSTITUTE	
20	Criminal Justice Institute Building	<u>\$ 1,000,000</u>
21	TOTAL UA-CJI	\$ 1,000,000
22		
23	UNIVERSITY OF ARKANSAS – CLINTON SCHOOL OF PUBLIC SERVICE	
24	Library Acquisitions	<u>\$ 100,000</u>
25	TOTAL UA-CS	\$ 100,000
26		
27	UNIVERSITY OF ARKANSAS SYSTEM	
28	Technology Upgrade	<u>\$ 55,100</u>
29	TOTAL UA-SYS	\$ 55,100
30		
31	UNIVERSITY OF ARKANSAS AT LITTLE ROCK	
32	Cyber College	\$ 6,000,000
33	Technology Infrastructure Improvements	2,000,000
34	Various Campus Building Maintenance	<u>1,000,000</u>
35	TOTAL UALR	\$ 9,000,000
36		

1	UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES	
2	New Classroom Building	\$ 8,500,000
3	Critical Maintenance and Renovations of Old	
4	Arkansas State Hospital, Education II,	
5	Library, and HVAC Systems and Technology Improvements	<u>6,500,000</u>
6	TOTAL UAMS	\$ 15,000,000
7		
8	UNIVERSITY OF ARKANSAS AT MONTICELLO	
9	University-Wide Data Network upgrades	\$ 750,000
10	Administrative Software Replacement and Upgrades	<u>2,450,000</u>
11	TOTAL UAM	\$ 3,200,000
12		
13	UNIVERSITY OF ARKANSAS AT PINE BLUFF	
14	Critical Maintenance and Renovations	<u>\$ 4,000,000</u>
15	TOTAL UAPB	\$ 4,000,000
16		
17	UNIVERSITY OF CENTRAL ARKANSAS	
18	Classroom Building	<u>\$ 12,195,302</u>
19	TOTAL UCA	\$ 12,195,302
20		
21	ARKANSAS NORTHEASTERN COLLEGE	
22	Burdette Center Renovations	\$ 817,000
23	Main Campus Renovations	857,000
24	Technology Upgrades	<u>526,000</u>
25	TOTAL ANC	\$ 2,200,000
26		
27	ARKANSAS STATE UNIVERSITY – BEEBE	
28	ASU-Searcy Phase II Development	\$ 2,685,000
29	ASU-Heber Springs Phase I Development	<u>315,000</u>
30	TOTAL ASUB	\$ 3,000,000
31		
32	ARKANSAS STATE UNIVERSITY – MOUNTAIN HOME	
33	Health Sciences Building	<u>\$ 2,200,000</u>
34	TOTAL ASUMH	\$ 2,200,000
35		
36	ARKANSAS STATE UNIVERSITY – NEWPORT	

1	Transportation Technology Center	<u>\$ 1,600,000</u>
2	TOTAL ASUN	\$ 1,600,000
3		
4	BLACK RIVER TECHNICAL COLLEGE	
5	Renovation Classroom Facilities	\$ 220,000
6	Academic Complex – Paragould /Pocahontas	<u>2,000,000</u>
7	TOTAL BRTC	\$ 2,220,000
8		
9	COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS	
10	Ashdown Interior Classroom Renovation	\$ 250,000
11	ADA Compliance Updates	363,500
12	Cosmetology Classroom and Equipment	143,500
13	“A” Building Renovation	112,500
14	Instructional Equipment Upgrades and Replacement	55,000
15	Technology/Library Building Renovation	100,500
16	Greenhouse for Agriculture Program	<u>75,000</u>
17	TOTAL CCCUA	\$ 1,100,000
18		
19	EAST ARKANSAS COMMUNITY COLLEGE	
20	Fine Arts Center	<u>\$ 2,200,000</u>
21	TOTAL EACC	\$ 2,200,000
22		
23	MID-SOUTH COMMUNITY COLLEGE	
24	Instructional Technology Building	<u>\$ 1,350,000</u>
25	TOTAL MSCC	\$ 1,350,000
26		
27		
28	NATIONAL PARK COMMUNITY COLLEGE	
29	Nursing & Health Sciences Building	\$ 2,000,000
30	Management Information System Upgrade	<u>1,000,000</u>
31	TOTAL NPCC	\$ 3,000,000
32		
33	NORTH ARKANSAS COLLEGE	
34	Allied Health Center	\$ 2,000,000
35	Old Main Building Renovation	500,000
36	Information Technology Infrastructure	<u>300,000</u>

1	TOTAL NAC	\$ 2,800,000
2		
3	NORTHWEST ARKANSAS COMMUNITY COLLEGE	
4	Renovation of Burns Hall	<u>\$ 4,000,000</u>
5	TOTAL NWACC	\$ 4,000,000
6		
7	OUACHITA TECHNICAL COLLEGE	
8	Instructional Technology for Smart Classrooms	\$ 100,000
9	Instructional Technology Center	<u>1,500,000</u>
10	TOTAL OTC	\$ 1,600,000
11		
12	OZARKA COLLEGE	
13	Sharp County Classroom/Student Area	<u>\$ 1,100,000</u>
14	TOTAL OZC	\$ 1,100,000
15		
16	PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS	
17	Grand Prairie Center for Arts &	
18	Health Sciences (Stuttgart)	\$ 1,000,000
19	Agriculture, Food, & Life Center (DeWitt)	440,000
20	Greenhouse (DeWitt)	60,000
21	Renovation of Ohio Street Properties	<u>400,000</u>
22	TOTAL PCCUA	\$ 1,900,000
23		
24	PULASKI TECHNICAL COLLEGE	
25	Aviation Maintenance Technology Hangar	\$ 1,750,000
26	Business & Office Technology Building	<u>4,500,000</u>
27	TOTAL PTC	\$ 6,250,000
28		
29	RICH MOUNTAIN COMMUNITY COLLEGE	
30	Developmental Instructional Facility &	
31	Library Learning Center	<u>\$ 1,250,000</u>
32	TOTAL RMCC	\$ 1,250,000
33		
34	SOUTH ARKANSAS COMMUNITY COLLEGE	
35	Allied Health and Human Services Building	<u>\$ 1,500,000</u>
36	TOTAL SACC	\$ 1,500,000

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2	SOUTHEAST ARKANSAS COLLEGE	
3	Library and Classrooms	\$ 2,750,000
4	TOTAL SEAC	\$ 2,750,000
5		
6	SOUTHERN ARKANSAS UNIVERSITY - TECH	
7	Heat Building (Camden) Renovation	\$ 375,000
8	Exterior Fire Suppression Simulator	<u>355,000</u>
9	TOTAL SAUT	\$ 730,000
10		
11	UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE	
12	Nursing and Allied Health Facility	<u>\$ 1,900,000</u>
13	TOTAL UACCB	\$ 1,900,000
14		
15	UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE	
16	Science Technology Center	<u>\$ 2,200,000</u>
17	TOTAL UACCH	\$ 2,200,000
18		
19	UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON	
20	Library Building	<u>\$ 3,150,000</u>
21	TOTAL UACCM	\$ 3,150,000

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23 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTEREST

25 INCOME. Any interest income accruing from the higher education general

26 obligation bond funds will be allocated to projects in this Act that are

27 deemed the most critical by the Arkansas Higher Education Coordinating Board.

28 The provisions of this section shall be in effect only from July 1, 2007

29 through June 30, 2009.

30

31 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

33 ALLOCATION REGULATIONS. The Arkansas Department of Higher Education shall

34 adopt rules and regulations for the allocation of the funds appropriated by

35 this Act to ensure that the funds are allocated and expended in a manner

36 consistent with the provisions of the Internal Revenue Code applicable to the

1 Arkansas Higher Education General Obligation Bond Program (Program). The  
2 funds appropriated and allocated pursuant to this Act shall be allocated and  
3 expended pursuant to Act 1282 of 2005, as amended, this Act and the rules and  
4 regulations promulgated hereunder, and shall be exempt from any other  
5 provisions of state law which conflicts with any provision of the rules and  
6 regulations which are required to ensure the compliance of the Program with  
7 the applicable provisions of the Internal Revenue Code.

8 The provisions of this section shall be in effect only from July 1, 2007  
9 through June 30, 2009.

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11 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SYSTEMS  
13 TECHNOLOGY. Any distribution of proceeds made by the Arkansas Department of  
14 Higher Education to applicable institutions of Higher Education for E-  
15 Corridor projects shall be made only following review and subsequent approval  
16 of E-Corridor projects costs by the Arkansas Higher Education Coordinating  
17 Board in accordance with the provisions of Arkansas Code Annotated 6-62-1115.  
18 Large integrated software information systems such as student information  
19 systems, financial records systems, pharmacy records systems, doctor's orders  
20 systems or software costs associated with the E-Corridors projects shall be  
21 eligible expenditures.

22 The provisions of this section shall be in effect only from July 1, 2007  
23 through June 30, 2009.

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25 SECTION 6. SPECIAL LANGUAGE. FUND CREATED. There is hereby established on  
26 the books of the State Treasurer, State Auditor, and Chief Fiscal Officer of  
27 the State a fund to be known as the "Higher Education Technology and Facility  
28 Trust Fund". Such fund shall consist of proceeds from the sale of bonds as  
29 issued by the Arkansas Development Finance Authority for any project financed  
30 under the "Arkansas Higher Education Technology and Facility Improvement Act  
31 of 2005", in amounts or portions as set forth in the resolution or trust  
32 indenture authorizing or securing such bonds, there to be used to provide for  
33 the development of projects at state institutions of higher education and the  
34 payment of project costs duly approved by the Arkansas Higher Education  
35 Coordinating Board as set forth in the "Arkansas Higher Education Technology  
36 and Facility Improvement Act of 2005".



1       The provisions of this section shall be in effect only from July 1, 2007  
2 through June 30, 2009.

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4       SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. METHOD OF  
6 FINANCING - FUNDING. The bond proceeds amounts requisitioned and certified by  
7 the Chair of the Higher Education Coordinating Board and approved by the  
8 Chief Fiscal Officer of the State to be disbursed for each project of an  
9 institution, as required by Arkansas Code Annotated 6-62-1115, or an accurate  
10 estimate from the Chair of the Higher Education Coordinating Board and  
11 approved by the Chief Fiscal Officer of the State and certified for each  
12 project of an institution, shall be considered a valid method of financing  
13 amount in meeting the requirements of Arkansas Code Annotated 22-9-104 and  
14 the regulations of the Department of Finance and Administration in submitting  
15 capital expenditure requests.

16       The provisions of this section shall be in effect only from July 1, 2007  
17 through June 30, 2009.

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19       SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
20 by this act shall be limited to the appropriation for such agency and funds  
21 made available by law for the support of such appropriations; and the  
22 restrictions of the State Procurement Law, the General Accounting and  
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
24 Procedures and Restrictions Act, or their successors, and other fiscal  
25 control laws of this State, where applicable, and regulations promulgated by  
26 the Department of Finance and Administration, as authorized by law, shall be  
27 strictly complied with in disbursement of said funds.

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

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SECTION 10. EMERGENCY CLAUSE. It is found and determined by the 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, 2007 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, 2007 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, 2007.