

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 *As Engrossed: S2/3/03 S3/20/03 S4/2/03 S4/7/03 S4/8/03*

2 84th General Assembly

A Bill

3 Regular Session, 2003

SENATE BILL 68

4

5 By: Joint Budget Committee

6

7

8

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES, OPERATING EXPENSES AND GRANTS FOR THE
11 DEPARTMENT OF HIGHER EDUCATION FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2005; AND FOR OTHER
13 PURPOSES.

14

15

16

Subtitle

17 AN ACT FOR THE DEPARTMENT OF HIGHER
18 EDUCATION APPROPRIATION FOR THE
19 2003-2005 BIENNIUM.

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 - General Operations for
26 the 2003-2005 biennium, the following maximum number of regular employees
27 whose salaries shall be governed by the provisions of the Uniform
28 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
29 its successor, and all laws amendatory thereto. Provided, however, that any
30 position to which a specific maximum annual salary is set out herein in
31 dollars, shall be exempt from the provisions of said Uniform Classification
32 and Compensation Act. All persons occupying positions authorized herein are
33 hereby governed by the provisions of the Regular Salaries Procedures and
34 Restrictions Act (Arkansas Code §21-5-101), or its successor.

35

36

Maximum Annual



01172003JKD1427.JKD006

| Item No. | Class Code | Title | Maximum No. of Employees | Salary Rate Fiscal Years | 2003-2004 | 2004-2005 |
|----------|------------|-------------------------------------|--------------------------|--------------------------|-----------|-----------|
| 4 | (1) 9960 | HIGHER ED DIRECTOR | 1 | | \$123,106 | \$125,679 |
| 5 | (2) 7243 | HIGHER EDUCATION DEPUTY DIRECTOR | 1 | | \$114,051 | \$116,498 |
| 6 | (3) 9773 | HIGHER ED SENIOR ASSOC DIR | 1 | | \$104,472 | \$106,784 |
| 7 | (4) 9922 | DHE ASSOC DIR FOR ACADEMIC AFFAIRS | 1 | | \$90,393 | \$92,509 |
| 8 | (5) 9774 | HIGHER ED ASSOC DIR FOR FISCAL AFF | 1 | | \$90,393 | \$92,509 |
| 9 | (6) 9978 | ASST DIR FOR PLNG & ACCOUNTABILITY | 1 | | \$76,966 | \$78,828 |
| 10 | (7) 9090 | HE ASST DIR OF INFO SERVICES | 1 | | \$76,966 | \$78,828 |
| 11 | (8) 9983 | HIGHER ED COORDINATOR OF Y.O.U. PGM | 1 | | \$69,113 | \$70,826 |
| 12 | (9) 9966 | HIGHER ED STUDENT FIN AID MANAGER | 1 | | \$69,113 | \$70,826 |
| 13 | (10) 9965 | HIGHER ED COORD OF ACADEMIC PROGRAM | 1 | | \$69,113 | \$70,826 |
| 14 | (11) 9623 | H E COORD OF INSTITUTIONAL FINANCE | 1 | | \$69,113 | \$70,826 |
| 15 | (12) 9242 | HE COORD OF FINANCIAL AID | 1 | | \$69,113 | \$70,826 |
| 16 | (13) 9093 | HE COORD 2-YR INST FINANCE | 1 | | \$69,113 | \$70,826 |
| 17 | (14) 9092 | HE COORD OF GENERAL ADMIN | 1 | | \$69,113 | \$70,826 |
| 18 | (15) 9059 | HIGHER ED COORD OF HEALTH EDUCATION | 1 | | \$69,113 | \$70,826 |
| 19 | (16) 9022 | HE COORD ACADEMIC CERTIFICATION | 1 | | \$69,113 | \$70,826 |
| 20 | (17) 7091 | DHE COORD OF FEDERAL PROGRAMS | 1 | | \$69,113 | \$70,826 |
| 21 | (18) 9716 | HE COORDINATOR OF COMMUNICATIONS | 1 | | \$68,634 | \$70,339 |
| 22 | (19) A252 | DHE FINANCIAL MANAGER | 3 | | GRADE 24 | |
| 23 | (20) D064 | SR SYSTEMS PROGRAMMER | 1 | | GRADE 24 | |
| 24 | (21) A032 | AGENCY FISCAL MANAGER | 1 | | GRADE 22 | |
| 25 | (22) R088 | HIGHER ED FINANCIAL OFFICER | 1 | | GRADE 22 | |
| 26 | (23) R096 | HIGHER ED ASST COORD STUD FIN AID | 4 | | GRADE 22 | |
| 27 | (24) D036 | SR PROGRAMMER/ANALYST | 1 | | GRADE 21 | |
| 28 | (25) R240 | DHE DATA COLLECTION ANALYST | 2 | | GRADE 20 | |
| 29 | (26) R264 | MANAGEMENT PROJECT ANALYST I | 2 | | GRADE 18 | |
| 30 | (27) K011 | ADMINISTRATIVE OFFICE SUPERVISOR | 1 | | GRADE 15 | |
| 31 | (28) R444 | BUSINESS CONTROLLER I | 2 | | GRADE 15 | |
| 32 | (29) K153 | SECRETARY II | <u>4</u> | | GRADE 13 | |
| 33 | | MAX. NO. OF EMPLOYEES | 39 | | | |

34

35 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby authorized,
 36 for the Department of Higher Education - General Operations for the 2003-2005

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

| 14 ITEM | FISCAL YEARS | |
|---------------------------------------|---------------------|---------------------|
| 15 NO. | 2003-2004 | 2004-2005 |
| 16 (01) REGULAR SALARIES | \$ 1,854,642 | \$ 1,856,983 |
| 17 (02) EXTRA HELP | 10,000 | 10,000 |
| 18 (03) PERSONAL SERV MATCH | 433,931 | 434,345 |
| 19 (04) MAINT. & GEN. OPERATION | | |
| 20 (A) OPER. EXPENSE | 477,378 | 477,378 |
| 21 (B) CONF. & TRAVEL | 40,000 | 40,000 |
| 22 (C) PROF. FEES | 0 | 0 |
| 23 (D) CAP. OUTLAY | 0 | 0 |
| 24 (E) DATA PROC. | 0 | 0 |
| 25 (05) YOUTH OPPORTUNITIES UNLIMITED | | |
| 26 GRANTS/AIDS | <u>85,000</u> | <u>85,000</u> |
| 27 TOTAL AMOUNT APPROPRIATED | <u>\$ 2,900,951</u> | <u>\$ 2,903,706</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, 2005, the following:

35
 36 ITEM FISCAL YEARS

| 1 | NO. | 2003-2004 | 2004-2005 |
|----|---|----------------------|----------------------|
| 2 | (01) DEPENDENTS OF POWS, MIAS, KIAS-TUITION | | |
| 3 | WAIVER SCHOLARSHIPS | \$ 15,000 | \$ 15,000 |
| 4 | (02) TEACHER/ADMINISTRATOR GRANTS | 179,544 | 179,544 |
| 5 | (03) EMERGENCY SECONDARY EDUCATION LOANS | 81,717 | 81,717 |
| 6 | (04) AR GOVERNOR'S SCHOLARS | 4,877,508 | 4,877,508 |
| 7 | (05) JR/SR MINORITY TEACHER SCHOLARS | 500,000 | 500,000 |
| 8 | (06) AR GEOGRAPHICAL CRITICAL NEEDS | | |
| 9 | MINORITY TEACHER SCHOLARSHIPS | 200,000 | 200,000 |
| 10 | (07) SECOND EFFORT SCHOLARSHIPS | 20,000 | 20,000 |
| 11 | (08) SREB MINORITY DOCTORAL SCHOLARS | 200,000 | 200,000 |
| 12 | (09) STUDENT ASSISTANCE GRANTS | 3,210,345 | 3,210,345 |
| 13 | (10) AR ACADEMIC CHALLENGE SCHOLARSHIPS | 30,740,841 | 30,740,841 |
| 14 | (11) MINORITY MASTERS FELLOWS | 80,000 | 80,000 |
| 15 | (12) DEPENDENTS OF LAW ENF. OFFICERS, ETC. | | |
| 16 | SCHOLARSHIPS | 100,000 | 100,000 |
| 17 | (13) FACULTY/ADMINISTRATOR DEVELOPMENT | | |
| 18 | FELLOWS MATCHING | 30,000 | 30,000 |
| 19 | (14) TUITION ADJUSTMENT | 350,000 | 350,000 |
| 20 | (15) NATIONAL GUARD TUITION ASSISTANCE PROG | 500,000 | 500,000 |
| 21 | (16) NON-TRADITIONAL SCHOLARSHIPS | <u>500,000</u> | <u>500,000</u> |
| 22 | TOTAL AMOUNT APPROPRIATED | <u>\$ 41,584,955</u> | <u>\$ 41,584,955</u> |

23

24 SECTION 5. APPROPRIATION - STATE SCHOLARSHIP - FEDERAL. There is hereby
 25 appropriated, to the Department of Higher Education, to be payable from the
 26 federal funds as designated by the Chief Fiscal Officer of the State, for
 27 grants-in-aid of the Department of Higher Education - State Scholarship -
 28 Federal Program for the biennial period ending June 30, 2005, the following:

29

| 30 | ITEM | FISCAL YEARS | |
|----|--|-------------------|-------------------|
| 31 | NO. | 2003-2004 | 2004-2005 |
| 32 | (01) GRANTS/AID-STATE SCHOLARSHIPS-FEDERAL | \$ <u>160,866</u> | \$ <u>160,866</u> |
| 33 | TOTAL AMOUNT APPROPRIATED | <u>\$ 160,866</u> | <u>\$ 160,866</u> |

34

35 SECTION 6. APPROPRIATION - DWIGHT D. EISENHOWER GRANTS. There is hereby
 36 appropriated, to the Department of Higher Education, to be payable from the

1 federal funds as designated by the Chief Fiscal Officer of the State, for
 2 operating expenses and grants and aids of the Department of Higher Education
 3 - Dwight D. Eisenhower Program for the biennial period ending June 30, 2005,
 4 the following:

| ITEM NO. | FISCAL YEARS | |
|---------------------------------------|-------------------|-------------------|
| | 2003-2004 | 2004-2005 |
| (01) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | \$ 24,761 | \$ 24,761 |
| (B) CONF. & TRAVEL | 5,000 | 5,000 |
| (C) PROF. FEES | 2,500 | 2,500 |
| (D) CAP. OUTLAY | 0 | 0 |
| (E) DATA PROC. | 0 | 0 |
| (02) DWIGHT D. EISENHOWER GRANTS/AIDS | <u>639,182</u> | <u>639,182</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 671,443</u> | <u>\$ 671,443</u> |

17 SECTION 7. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS. There
 18 is hereby appropriated, to the Department of Higher Education, to be payable
 19 from the federal funds as designated by the Chief Fiscal Officer of the
 20 State, for personal services and operating expenses of the Department of
 21 Higher Education - Technical Education - Federal Programs for the biennial
 22 period ending June 30, 2005, the following:

| ITEM NO. | FISCAL YEARS | |
|------------------------------|-------------------|-------------------|
| | 2003-2004 | 2004-2005 |
| (01) REGULAR SALARIES | \$ 69,253 | \$ 71,123 |
| (02) PERSONAL SERV MATCH | 15,625 | 15,956 |
| (03) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 4,000 | 4,000 |
| (B) CONF. & TRAVEL | 9,000 | 9,000 |
| (C) PROF. FEES | 11,717 | 11,717 |
| (D) CAP. OUTLAY | 0 | 0 |
| (E) DATA PROC. | <u>0</u> | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 109,595</u> | <u>\$ 111,796</u> |

36 SECTION 8. APPROPRIATION - TEACHER QUALITY ENHANCEMENT - FEDERAL. There is

1 hereby appropriated, to the Department of Higher Education, to be payable
 2 from the federal funds as designated by the Chief Fiscal Officer of the
 3 State, for personal services, operating expenses and grants-in-aid of the
 4 Department of Higher Education - Teacher Quality Enhancement - Federal
 5 Program for the biennial period ending June 30, 2005, the following:

| ITEM NO. | FISCAL YEARS | |
|---|---------------------|---------------------|
| | 2003-2004 | 2004-2005 |
| (01) REGULAR SALARIES | \$ 24,211 | \$ 24,865 |
| (02) PERSONAL SERV MATCH | 7,648 | 7,764 |
| (03) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 31,111 | 31,111 |
| (B) CONF. & TRAVEL | 12,000 | 12,000 |
| (C) PROF. FEES | 45,000 | 45,000 |
| (D) CAP. OUTLAY | 0 | 0 |
| (E) DATA PROC. | 0 | 0 |
| (04) TEACHER QUALITY ENHANCEMENT GRANTS/AIDS | <u>936,432</u> | <u>936,432</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 1,056,402</u> | <u>\$ 1,057,172</u> |

20

21 SECTION 9. APPROPRIATION - IMPROVING TEACHER QUALITY. There is hereby
 22 appropriated, to the Department of Higher Education, to be payable from the
 23 federal funds as designated by the Chief Fiscal Officer of the State, for
 24 operating expenses and grants-in-aid of the Department of Higher Education -
 25 Improving Teacher Quality Program for the biennial period ending June 30,
 26 2005, the following:

27

| ITEM NO. | FISCAL YEARS | |
|--|----------------|----------------|
| | 2003-2004 | 2004-2005 |
| (01) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | \$ 12,856 | \$ 12,856 |
| (B) CONF. & TRAVEL | 5,000 | 5,000 |
| (C) PROF. FEES | 3,000 | 3,000 |
| (D) CAP. OUTLAY | 0 | 0 |
| (E) DATA PROC. | 0 | 0 |
| (02) IMPROVING TEACHER QUALITY GRANTS/AIDS | <u>417,402</u> | <u>417,402</u> |

36

1 TOTAL AMOUNT APPROPRIATED \$ 438,258 \$ 438,258

2

3 SECTION 10. APPROPRIATION - HIGHER EDUCATION BUILDING MAINTENANCE. There
 4 is 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, 2005, the sum of
 8\$4,000,000.

9

10 SECTION 11. 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, 2005,
 15 the sum of.....\$10,000,000.

16

17 SECTION 12. APPROPRIATION - CASH. There is hereby appropriated, to the
 18 Department of Higher Education, to be payable from the cash fund deposited in
 19 the State Treasury as determined by the Chief Fiscal Officer of the State,
 20 for operating expenses of the Department of Higher Education for the biennial
 21 period ending June 30, 2005, the following:

22

| 23 ITEM | FISCAL YEARS | |
|---------------------------------|------------------|------------------|
| 24 <u>NO.</u> | <u>2003-2004</u> | <u>2004-2005</u> |
| 25 (01) MAINT. & GEN. OPERATION | | |
| 26 (A) OPER. EXPENSE | \$ 4,380 | \$ 4,380 |
| 27 (B) CONF. & TRAVEL | 0 | 0 |
| 28 (C) PROF. FEES | 0 | 0 |
| 29 (D) CAP. OUTLAY | 0 | 0 |
| 30 (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 31 TOTAL AMOUNT APPROPRIATED | <u>\$ 4,380</u> | <u>\$ 4,380</u> |

32

33 SECTION 13. APPROPRIATION - HEALTH EDUCATION GRANTS. There is hereby
 34 appropriated, to the Department of Higher Education, to be payable from the
 35 Higher Education Grants Fund Account, for payments of the contracts with
 36 participating out-of-state institutions of higher learning in the fields of

1 dentistry, optometry, osteopathy, veterinary medicine, chiropractic and
 2 podiatry for the education of Arkansas citizens by the Department of Higher
 3 Education for the biennial period ending June 30, 2005, the following:

| 5 ITEM | 6 FISCAL YEARS | |
|------------------------------|---------------------|---------------------|
| 7 NO. | 2003-2004 | 2004-2005 |
| 8 (01) DENTAL AID | \$ 1,368,225 | \$ 1,596,000 |
| 9 (02) VETERINARY AID | 657,983 | 743,949 |
| 10 (03) CHIROPRACTIC AID | 230,550 | 252,300 |
| 11 (04) OPTOMETRY AID | 274,050 | 296,800 |
| 12 (05) OSTEOPATHY AID | 130,164 | 173,812 |
| 13 (06) PODIATRY AID | <u>74,800</u> | <u>97,000</u> |
| 14 TOTAL AMOUNT APPROPRIATED | <u>\$ 2,735,772</u> | <u>\$ 3,159,861</u> |

15 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 17 PROVISION. Upon certification by the Director of the Department of Higher
 18 Education that transfers are needed to make maximum utilization of funds and
 19 appropriations provided for financial aid programs, and with the approval of
 20 the Chief Fiscal Officer of the State and a review by the Arkansas
 21 Legislative Council, funds and appropriations may be transferred between
 22 financial aid programs, except that funds and appropriations may not be
 23 transferred for such purposes from either the Governor's Scholars Program or
 24 the Academic Challenge Scholarships Program in excess of \$1,000,000 in the
 25 aggregate in either fiscal year. Any transfer restrictions contained in
 26 appropriation acts for the Department of Higher Education relating to
 27 appropriation transfers from Governor's Scholars Program and Academic
 28 Challenge Scholarships shall not be applicable to transfers between
 29 Governor's Scholars and Academic Challenge Scholarship appropriations.

30 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 31 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

33 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOANS. In
 35 order to provide timely payments under financial aid appropriations made in
 36 this Act, the Chief Fiscal Officer of the State is authorized to provide

1 loans from the Budget Stabilization Trust Fund to make available all funds
2 attributable to the financial aid programs under the then current official
3 revenue estimates. In the event of an unanticipated state revenue shortfall,
4 any such loans remaining at the end of a fiscal year shall be repaid from
5 revenues distributed in the first two months of the next fiscal year. Funds
6 for appropriations made in this Act for purposes other than financial aid
7 shall not be affected by the application of this provision.

8 The provisions of this section shall be in effect only from ~~July 1, 2001~~
9 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

10
11 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORK
13 FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made
14 available to the various technical colleges have been determined as set out
15 in Arkansas Code 26-51-205(d)(2), such documents as may be necessary shall be
16 processed so that funds may be transferred from the Work Force 2000
17 Development Fund to the State Treasury fund or fund account from which the
18 technical college draws its general revenue support. Such funds as may be
19 transferred shall not exceed ~~74.45%~~ 77.19% of the total funds available from
20 the Work Force 2000 Development Fund during each fiscal year of the biennial
21 period ending ~~June 30, 2003~~ June 30, 2005.

22 In the event that a technical institute or comprehensive lifelong learning
23 center which receives support from the Work Force 2000 Development Fund as
24 determined by law transfers or merges into the Arkansas Technical College and
25 Community College System for which Work Force 2000 Development Fund monies
26 are determined by law, then the actual amount of support from the Work Force
27 2000 Development Fund in the preceding fiscal year for such educational
28 institution shall be made available irrespective of any other provision of
29 law which sets out maximum levels of support from such fund.

30 The provisions of this section shall be in effect only from ~~July 1, 2001~~
31 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

32
33 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BUILDING
35 MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited into the
36 Higher Education Building Maintenance Fund, the next \$10,000,000 or so much

1 as is collected, is to be transferred to the Research Development Fund there
2 to be used as provided by law.

3 The provisions of this section shall be in effect only from ~~July 1, 2001~~
4 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

5

6 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
8 EXPENDITURES. Proceeds derived from the repayment of loans as authorized in
9 Items (03), (05), ~~(06)~~ and (11) of Section ~~5~~ 4 of this Act for the Emergency
10 Secondary Education Loans, the JR/SR Minority Teacher Scholars, ~~the~~
11 ~~Freshman/Sophomore Minority Grants~~, and the Minority Masters Fellows shall be
12 deposited into the State Treasury as "Refunds to Expenditures."

13 The provisions of this section shall be in effect only from ~~July 1, 2001~~
14 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

15

16 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
18 FORWARD. The balance of the funds and appropriations as provided in Section
19 ~~5~~ 4 of this Act for the Governor's Scholars Program and the Academic
20 Challenge Scholarships Program which remain on ~~June 30, 2002~~ June 30, 2004,
21 shall be carried forward and made available for the same purpose for the
22 fiscal year ending ~~June 30, 2003~~ June 30, 2005.

23 The provisions of this section shall be in effect only from ~~July 1, 2001~~
24 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

25

26 SECTION 20. SPECIAL LANGUAGE. Arkansas Code § 29-20-129 is repealed.

27 ~~29-20-129. National Guard Tuition Assistance Program.~~

28 ~~SPECIAL LANGUAGE. NATIONAL GUARD TUITION ASSISTANCE PROGRAM. In addition to~~
29 ~~any other provisions of law, any student who receives assistance from the~~
30 ~~appropriation made for the "National Guard Tuition Assistance Program" in~~
31 ~~this Act shall repay any loans and/or assistance if the student does not~~
32 ~~receive an Honorable Discharge.~~

33

34 SECTION 21. SPECIAL LANGUAGE. NATIONAL GUARD TUITION ASSISTANCE PROGRAM.

35 In addition to any other provisions of law, any student who receives
36 assistance from the appropriation made for the "National Guard Tuition

1 Assistance Program" in this Act shall repay any loans and/or assistance if
2 the student ~~does not receive an~~ receives a discharge that is a less than
3 Honorable Discharge.
4

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

13 The provisions of this section shall be in effect only from ~~July 1, 2001~~
14 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

15
16 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE
18 SAVINGS BONDS. The Department of Higher Education shall adopt rules and
19 regulations for the allocation of the funds reappropriated for the
20 development of projects at State Institutions of Higher Education and the
21 payment of project costs and expenses of the issuance of the bonds of the
22 Arkansas College Savings General Obligation Bonds Program to ensure that
23 funds are allocated and expended in a manner consistent with the provisions
24 of the Internal Revenue Code applicable to the Arkansas College Savings
25 General Obligation Bond Program (Program). The funds reappropriated for the
26 development of projects at State Institutions of Higher Education and the
27 payment of project costs and expenses of the issuance of the bonds of the
28 Arkansas College Savings General Obligation Bonds Program shall be allocated
29 and expended pursuant to the provisions of Arkansas Code 6-62-701 et. seq.
30 and other laws of this State. The expenditure and allocation of funds shall
31 be exempt from any other provisions of state law which conflicts with any
32 provision of the rules and regulations which rules and regulations are
33 required to ensure the compliance of the Program with the applicable
34 provisions of the Internal Revenue Code.

35 The provisions of this section shall be in effect only from ~~July 1, 2001~~
36 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

1
2 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE
4 SAVINGS BONDS LIMITATIONS. The total principal amount of bonds to be issued
5 during any fiscal biennium shall not exceed three-hundred million dollars
6 (\$300,000,000), nor shall the principal amount of bonds outstanding at any
7 time have debt service requirements in excess of twenty-four million dollars
8 (\$24,000,000) in any one fiscal year from all sources.

9 The provisions of this section shall be in effect only from ~~July 1, 2001~~
10 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

11
12 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
14 OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS.
15 Upon certification to and with the approval of the Chief Fiscal Officer of
16 the State, surplus funds and appropriations may be transferred between the
17 appropriations provided for "Health Education Grants" by this Act by the
18 ~~Eighty-Third~~ Eighty-Fourth General Assembly for Dental Aid, Optometry Aid,
19 Veterinary Aid, Podiatry Aid, Chiropractic Aid and Osteopathic Aid.

20 The provisions of this section shall be in effect only from ~~July 1, 2001~~
21 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

22
23 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
25 FORWARD - HEALTH EDUCATION GRANTS. The balance of the funds and
26 appropriations as provided for "Health Education Grants" in this Act which
27 remain on ~~June 30, 2002~~ June 30, 2004, shall be carried forward and made
28 available for the same purposes for the fiscal year ending ~~June 30, 2003~~ June
29 30, 2005.

30 The provisions of this section shall be in effect only from ~~July 1, 2001~~
31 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

32
33 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
35 REQUIREMENTS - HEALTH EDUCATION GRANTS. The Arkansas Department of Higher
36 Education shall annually compile information, as described herein, on

1 students who receive financial aid through the appropriations for health
2 education grants provided for in this Act. Such information shall include
3 the number of students receiving financial aid under each line item of the
4 appropriation made for "Health Education Grants" in this Act, the name of
5 each out-of-state school which each student is attending or has attended,
6 and, if available, the location and occupation of each student who has
7 completed the course of study for a period of three years following
8 completion.

9 Such information shall be compiled into a report and presented in
10 conjunction with the biennial appropriation budget request for the
11 appropriation provided herein, to the Arkansas Legislative Council.

12 The provisions of this section shall be in effect only from ~~July 1, 2001~~
13 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

14

15 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
17 EDUCATION GRANTS - PRIORITIES. The Arkansas Higher Education Coordinating
18 Board, after consulting with the recognized associations of each of the
19 applicable medical professions and other interested persons, shall determine
20 the priorities for the applicable programs enumerated in the appropriation
21 made for "Health Education Grants" in this Act. The Arkansas Department of
22 Higher Education, if necessary, shall re-adjust the number of ~~freshman~~
23 positions for entering students to be funded for each applicable program
24 based upon the priorities determined by the board.

25 The provisions of this section shall be in effect only from ~~July 1, 2001~~
26 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

27

28 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
30 EDUCATION GRANTS - STUDY. The Arkansas Higher Education Coordinating Board
31 shall conduct a study during the ~~2001-2003~~ 2003-2005 biennium as to the
32 future need for health care providers in dentistry, veterinary medicine,
33 chiropractic, optometry, osteopathy and podiatry in Arkansas and shall report
34 its findings to the Legislative Council or Joint Budget Committee on or
35 before October 1, ~~2002~~ 2004.

36 The provisions of this section shall be in effect only from ~~July 1, 2001~~

1 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

2
3 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FINANCIAL
5 AID PROGRAMS REPORTING. The Arkansas Department of Higher Education shall
6 report by May 30 to the House and Senate Interim Committees on Education the
7 budgeted allocation for each financial aid program funded through the Higher
8 Education Grants Fund Account for the upcoming fiscal year and projections
9 for the following year.

10
11 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
13 AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that
14 receives state scholarship funds administered by the Arkansas Department of
15 Higher Education shall be subject to audit/review of such funds by the
16 Division of Legislative Audit, upon approval of the Legislative Joint Audit
17 Committee.

18
19 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AUDIT
21 DATA. All post-secondary institutions shall provide to the Arkansas
22 Department of Higher Education a copy of the Integrated Post-Secondary
23 Education Data System (IPEDS) which shall be subject to audit by the Arkansas
24 Department of Higher Education ~~fiscal personnel~~.

25
26 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
28 APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY
29 TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of
30 Higher Education shall determine the amount available, up to \$200,000 per
31 fiscal year, to fund the Arkansas Geographical Critical Needs Minority
32 Teacher Scholarships and shall certify to the Chief Fiscal Officer of the
33 State and the State Treasurer such amount as is required to be transferred
34 from the Higher Education Grants Fund Account. Upon receiving such
35 certification, the Chief Fiscal Officer of the State and the State Treasurer
36 shall cause to be transferred the necessary funds and appropriation to the

1 fund account of the University of Arkansas at Pine Bluff for implementation
2 of this program. The University of Arkansas at Pine Bluff may use up to
3 twenty percent (20%) of the funds and appropriation for administration of the
4 program.

5
6 *SECTION 34. SPECIAL LANGUAGE. Arkansas Code § 6-61-201(f), concerning the*
7 *Arkansas Higher Education Coordinating Board, is amended to read as follows:*

8 *(f)(1) The board shall annually elect from its membership a chairman and*
9 *such other officers as are necessary to carry on its business.*

10 ~~*(2) A member shall not be eligible to serve for more than two (2),*~~
11 ~~*one year terms as chairman of the board.*~~

12
13 *SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
14 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING*
15 *FOR SALARY INCREASES. New funding through the Revenue Stabilization Act*
16 *determined by the Arkansas Department of Higher Education to have been for*
17 *salary increases for each year of the 2003-2005 Biennium for Institutions of*
18 *Higher Education shall be used exclusively for salary increases. New funding*
19 *actually received for salary increases shall be spent exclusively for salary*
20 *increases based upon the state general revenue portion of total unrestricted*
21 *educational and general revenue. Funding received under this provision shall*
22 *be used for no purpose other than to provide such salary increases. Any*
23 *designated funds not used for salary increases shall be recouped at the end*
24 *of each fiscal year and transferred to the General Revenue Allotment Reserve*
25 *Fund.*

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

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

1 strictly complied with in disbursement of said funds.

2
3 SECTION 37. LEGISLATIVE INTENT. It is the intent of the General Assembly
4 that any funds disbursed under the authority of the appropriations contained
5 in this act shall be in compliance with the stated reasons for which this act
6 was adopted, as evidenced by the Agency Requests, Executive Recommendations
7 and Legislative Recommendations contained in the budget manuals prepared by
8 the Department of Finance and Administration, letters, or summarized oral
9 testimony in the official minutes of the Arkansas Legislative Council or
10 Joint Budget Committee which relate to its passage and adoption.

11
12 SECTION 38. EMERGENCY CLAUSE. It is found and determined by the General
13 Assembly, that the Constitution of the State of Arkansas prohibits the
14 appropriation of funds for more than a two (2) year period; that the
15 effectiveness of this Act on July 1, 2003 is essential to the operation of
16 the agency for which the appropriations in this Act are provided, and that in
17 the event of an extension of the Regular Session, the delay in the effective
18 date of this Act beyond July 1, 2003 could work irreparable harm upon the
19 proper administration and provision of essential governmental programs.
20 Therefore, an emergency is hereby declared to exist and this Act being
21 necessary for the immediate preservation of the public peace, health and
22 safety shall be in full force and effect from and after July 1, 2003.

23
24 /s/ Joint Budget Committee
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