

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: S2/19/07 S3/12/07 S3/19/07 S3/26/07

2 86th General Assembly

# A Bill

3 Regular Session, 2007

SENATE BILL 194

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 AND OPERATING EXPENSES FOR THE  
11 DEPARTMENT OF HIGHER EDUCATION FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER  
13 PURPOSES.

14

15

16

## Subtitle

17 AN ACT FOR THE DEPARTMENT OF HIGHER  
18 EDUCATION APPROPRIATION FOR THE  
19 2007-2009 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 for the 2007-2009  
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



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2007-2008	2008-2009
4	(1)	9960	HIGHER ED DIRECTOR	1	\$133,937	\$136,615
5	(2)	7243	HIGHER EDUCATION DEPUTY DIRECTOR	1	\$124,289	\$126,774
6	(3)	9773	HIGHER ED SENIOR ASSOC DIR	1	\$114,080	\$116,361
7	(4)	9358	TANF PROGRAM DIRECTOR	1	\$101,699	\$103,732
8	(5)	9922	DHE ASSOC DIR FOR ACADEMIC AFFAIRS	1	\$99,080	\$101,061
9	(6)	9774	HIGHER ED ASSOC DIR FOR FISCAL AFF	1	\$99,080	\$101,061
10	(7)	9505	DHE GENERAL COUNSEL	1	\$89,760	\$91,555
11	(8)	9978	ASST DIR FOR PLNG & ACCOUNTABILITY	1	\$84,620	\$86,312
12	(9)	9090	HE ASST DIR OF INFO SERVICES	1	\$84,620	\$86,312
13	(10)	9983	HIGHER ED COORDINATOR OF Y.O.U. PGM	1	\$76,145	\$77,667
14	(11)	9966	HIGHER ED STUDENT FIN AID MANAGER	1	\$76,145	\$77,667
15	(12)	9965	HIGHER ED COORD OF ACADEMIC PROGRAM	1	\$76,145	\$77,667
16	(13)	9623	H E COORD OF INSTITUTIONAL FINANCE	1	\$76,145	\$77,667
17	(14)	9288	HIGHER ED COORD. OF RECRUITMENT	1	\$76,145	\$77,667
18	(15)	9242	HE COORD OF FINANCIAL AID	1	\$76,145	\$77,667
19	(16)	9093	HE COORD 2-YR INST FINANCE	1	\$76,145	\$77,667
20	(17)	9092	HE COORD OF GENERAL ADMIN	1	\$76,145	\$77,667
21	(18)	9059	HIGHER ED COORD OF HEALTH EDUCATION	1	\$76,145	\$77,667
22	(19)	9022	HE COORD ACADEMIC CERTIFICATION	1	\$76,145	\$77,667
23	(20)	7091	DHE COORD OF FEDERAL PROGRAMS	2	\$76,145	\$77,667
24	(21)	9716	HE COORDINATOR OF COMMUNICATIONS	1	\$75,629	\$77,141
25	(22)	9361	TANF FINANCE INTERNAL AUDITOR	1	\$64,680	\$65,973
26	(23)	9360	TANF CURRICULUM COORDINATOR	1	\$64,680	\$65,973
27	(24)	9359	TANF DATA RESEARCH ANALYST	1	\$64,680	\$65,973
28	(25)	9362	TANF EMPLOYABILITY CERTIFICATION CO	1	\$54,088	\$55,169
29	(26)	A252	DHE FINANCIAL MANAGER	3	GRADE 24	
30	(27)	D064	SR SYSTEMS PROGRAMMER	1	GRADE 24	
31	(28)	R096	HIGHER ED ASST COORD STUD FIN AID	4	GRADE 24	
32	(29)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
33	(30)	R088	HIGHER ED FINANCIAL OFFICER	1	GRADE 22	
34	(31)	D036	SR PROGRAMMER/ANALYST	1	GRADE 21	
35	(32)	R240	DHE DATA COLLECTION ANALYST	2	GRADE 20	
36	(33)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20	

1	(34)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
2	(35)	R444	BUSINESS CONTROLLER I	1	GRADE 15
3	(36)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
4	(37)	K153	SECRETARY II	<u>4</u>	GRADE 13
5			MAX. NO. OF EMPLOYEES	48	

6  
 7 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby authorized,  
 8 for the Department of Higher Education for the 2007-2009 biennium, the  
 9 following maximum number of part-time or temporary employees, to be known as  
 10 "Extra Help", payable from funds appropriated herein for such purposes: nine  
 11 (9) temporary or part-time employees, when needed, at rates of pay not to  
 12 exceed those provided in the Uniform Classification and Compensation Act, or  
 13 its successor, or this act for the appropriate classification.  
 14

15 SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby  
 16 appropriated, to the Department of Higher Education, to be payable from the  
 17 Department of Higher Education Fund Account, for personal services, operating  
 18 expenses and grants of the Department of Higher Education for the biennial  
 19 period ending June 30, 2009, the following:  
 20

21	ITEM	FISCAL YEARS	
22	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
23	(01) REGULAR SALARIES	\$ 2,184,993	\$ 2,228,693
24	(02) EXTRA HELP	25,000	25,000
25	(03) PERSONAL SERVICES MATCHING	607,411	616,697
26	(04) MAINT. & GEN. OPERATION		
27	(A) OPER. EXPENSE	517,814	522,814
28	(B) CONF. & TRAVEL	30,000	30,000
29	(C) PROF. FEES	15,000	15,000
30	(D) CAP. OUTLAY	20,000	20,000
31	(E) DATA PROC.	0	0
32	(05) YOUTH OPPORTUNITIES UNLIMITED		
33	GRANTS/AIDS	<u>75,000</u>	<u>75,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,475,218</u>	<u>\$ 3,533,204</u>

35  
 36 SECTION 4. APPROPRIATION - STUDENT ASSISTANCE GRANTS AND VARIOUS

1 SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher  
 2 Education, to be payable from the Higher Education Grants Fund Account, for  
 3 providing student assistance grants and various scholarships as provided by  
 4 law by the Department of Higher Education for the biennial period ending June  
 5 30, 2009, the following:

7	ITEM	FISCAL YEARS	
8	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
9	(01) NATIONAL GUARD TUITION ASSISTANCE PROG	500,000	\$ 500,000
10	(02) SECOND EFFORT SCHOLARSHIPS	30,000	40,000
11	(03) SREB MINORITY DOCTORAL SCHOLARS	200,000	200,000
12	(04) TUITION ADJUSTMENT	350,000	350,000
13	(05) STATE TEACHER ASSISTANCE RESOURCE		
14	PROGRAM	3,081,717	3,581,717
15	(06) AR ACADEMIC CHALLENGE SCHOLARSHIPS	30,174,734	30,174,734
16	(07) ARKANSAS GOVERNOR'S SCHOLARS	9,625,000	10,750,000
17	(08) STUDENT UNDERGRADUATE RESEARCH		
18	FELLOWSHIP PROGRAM (SURF)	153,987	153,987
19	(09) TEACHER OPPORTUNITY PROGRAM	2,000,000	2,000,000
20	(10) WORKFORCE IMPROVEMENT GRANTS	3,710,345	3,710,345
21	(11) AR GEOGRAPHICAL CRITICAL NEEDS		
22	MINORITY TEACHER SCHOLARSHIPS	200,000	200,000
23	(12) DEPENDENTS OF LAW ENFORCEMENT		
24	OFFICERS, ETC SCHOLARSHIPS	250,000	250,000
25	(13) DEPENDENTS OF POWS, MIAS, KIAS-		
26	TUITION WAIVER SCHOLARSHIPS	250,000	250,000
27	(14) FACULTY/ADMINISTRATOR DEVELOPMENT		
28	FELLOWS MATCHING	30,000	30,000
29	(15) JR/SR MINORITY TEACHER SCHOLARSHIPS	300,000	300,000
30	(16) MINORITY MASTERS FELLOWS	280,000	280,000
31	(17) HIGHER EDUCATION OPPORTUNITIES		
32	GRANTS	7,200,000	11,200,000
33	(18) WASHINGTON CENTER SCHOLARSHIPS	<u>120,000</u>	<u>120,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 58,455,783</u>	<u>\$ 64,090,783</u>

35

36 SECTION 5. APPROPRIATION - STATE SCHOLARSHIP - FEDERAL. There is hereby

1 appropriated, to the Department of Higher Education, to be payable from the  
 2 federal funds as designated by the Chief Fiscal Officer of the State, for  
 3 grants-in-aid of the Department of Higher Education - State Scholarship -  
 4 Federal Program for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) GRANTS AND AID-STATE SCHOLARSHIPS-FEDERAL	\$ 185,000	\$ 185,000

11 SECTION 6. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS. There  
 12 is hereby appropriated, to the Department of Higher Education, to be payable  
 13 from the federal funds as designated by the Chief Fiscal Officer of the  
 14 State, for personal services and operating expenses of the Department of  
 15 Higher Education - Technical Education - Federal Programs for the biennial  
 16 period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 127,857	\$ 130,414
(02) PERSONAL SERVICES MATCHING	34,290	34,809
(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.	0	0
TOTAL AMOUNT APPROPRIATED	\$ 340,575	\$ 343,651

30 SECTION 7. APPROPRIATION - IMPROVING TEACHER QUALITY. There is hereby  
 31 appropriated, to the Department of Higher Education, to be payable from the  
 32 federal funds as designated by the Chief Fiscal Officer of the State, for  
 33 operating expenses and grants-in-aid of the Department of Higher Education -  
 34 Improving Teacher Quality Program for the biennial period ending June 30,  
 35 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(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>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,565,258</u>	<u>\$ 1,565,258</u>

11

12 SECTION 8. APPROPRIATION - HIGHER EDUCATION BUILDING MAINTENANCE. There is  
 13 hereby appropriated, to the Department of Higher Education, to be payable  
 14 from the Higher Education Building Maintenance Fund, for maintenance of  
 15 various buildings at the Institutions of Higher Education by the Department  
 16 of Higher Education for the biennial period ending June 30, 2009, the sum of  
 17 .....\$645,826.

18

19 SECTION 9. APPROPRIATION - RESEARCH DEVELOPMENT PROGRAM. There is hereby  
 20 appropriated, to the Department of Higher Education, to be payable from the  
 21 Higher Education Research Development Fund, for providing Arkansas Research  
 22 Development Program Grants to Institutions of Higher Education by the  
 23 Department of Higher Education for the biennial period ending June 30, 2009,  
 24 the sum of .....\$2,000,000.

25

26 SECTION 10. APPROPRIATION - HEALTH EDUCATION GRANTS AND LOANS. There is  
 27 hereby appropriated, to the Department of Higher Education, to be payable  
 28 from the Higher Education Grants Fund Account, for payments of the contracts  
 29 with participating out-of-state institutions of higher learning in the fields  
 30 of dentistry, optometry, osteopathy, veterinary medicine, chiropractic and  
 31 podiatry for the education of Arkansas citizens by of the Department of  
 32 Higher Education for the biennial period ending June 30, 2009, the following:

33

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) CHIROPRACTIC AID	\$ 260,000	\$ 260,000

36

1	(02) DENTAL AID - GRANTS	1,610,000	1,610,000
2	(03) OPTOMETRY AID	341,600	341,600
3	(04) OSTEOPATHY AID	179,800	179,800
4	(05) PODIATRY AID	111,800	111,800
5	(06) VETERINARY AID	913,347	913,347
6	(07) DENTAL AID - LOANS	<u>360,000</u>	<u>360,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,776,547</u>	<u>\$ 3,776,547</u>

8

9 SECTION 11. APPROPRIATION - CASH. There is hereby appropriated, to the  
 10 Department of Higher Education, to be payable from the cash fund deposited in  
 11 the State Treasury as determined by the Chief Fiscal Officer of the State,  
 12 for operating expenses of the Department of Higher Education for the biennial  
 13 period ending June 30, 2009, the following:

14

15	ITEM	FISCAL YEARS	
16	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
17	(01) MAINT. & GEN. OPERATION		
18	(A) OPER. EXPENSE	\$ 4,380	\$ 4,380
19	(B) CONF. & TRAVEL	0	0
20	(C) PROF. FEES	0	0
21	(D) CAP. OUTLAY	0	0
22	(E) DATA PROC.	<u>0</u>	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,380</u>	<u>\$ 4,380</u>

24

25 SECTION 12. APPROPRIATION - ELEMENTARY SCIENCE SPECIALIST PROGRAM. There  
 26 is hereby appropriated, to the Department of Higher Education, to be payable  
 27 from the Higher Education Grants Fund Account, for grants for the Elementary  
 28 Science Specialist Program of the Department of Higher Education - Elementary  
 29 Science Specialist Program for the biennial period ending June 30, 2009, the  
 30 following:

31

32	ITEM	FISCAL YEARS	
33	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
34	(01) INSTITUTIONAL INITIATIVES GRANTS	<u>\$ 570,303</u>	<u>\$ 570,303</u>

35

36 SECTION 13. APPROPRIATION - TANF PROGRAM - FEDERAL. There is hereby

1 appropriated, to the Department of Higher Education, to be payable from the  
 2 federal funds as designated by the Chief Fiscal Officer of the State, for  
 3 personal services and operating expenses of the Department of Higher  
 4 Education - TANF Program - Federal for the biennial period ending June 30,  
 5 2009, the following:

7 ITEM	FISCAL YEARS	
8 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
9 (01) REGULAR SALARIES	\$ 386,011	\$ 393,727
10 (02) EXTRA HELP	25,000	25,000
11 (03) PERSONAL SERVICES MATCHING	105,294	106,858
12 (04) MAINT. & GEN. OPERATION		
13 (A) OPER. EXPENSE	257,000	257,000
14 (B) CONF. & TRAVEL	20,000	20,000
15 (C) PROF. FEES	65,000	65,000
16 (D) CAP. OUTLAY	10,000	10,000
17 (E) DATA PROC.	0	0
18 (05) SELF SUFFICIENCY/JOB TRAINING GRANTS	<u>11,644,793</u>	<u>11,644,793</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 12,513,098</u>	<u>\$ 12,522,378</u>

20  
 21 SECTION 14. SPECIAL LANGUAGE. Arkansas Code Annotated 6-62-104, concerning  
 22 Transfer of appropriation, is repealed.

23  
 24 ~~Unless otherwise provided by law, each state supported institution of higher~~  
 25 ~~education may transfer appropriations between the various line items within~~  
 26 ~~each appropriation contained in its biennial appropriation act. However, such~~  
 27 ~~transfers shall be made only after the approval of the Department of Higher~~  
 28 ~~Education and the Chief Fiscal Officer of the State, and after seeking the~~  
 29 ~~advice of the Legislative Council.~~

30  
 31 SECTION 15. SPECIAL LANGUAGE. Arkansas Code Annotated 6-63-310, concerning  
 32 Reorganization and consolidation of administrative functions, is repealed:

33  
 34 ~~(a) Upon determination by the President of the University of Arkansas~~  
 35 ~~that a reallocation of resources for purposes of reorganization or~~  
 36 ~~consolidation of administrative functions within the University of Arkansas~~



1 ~~is necessary for efficient and effective operations of the university, the~~  
2 ~~president, with approval of the Board of Trustees of the University of~~  
3 ~~Arkansas, may have the authority to transfer positions and related funds~~  
4 ~~between campuses, divisions, and other budgetary units of the university.~~

5 ~~(b)(1) The transfers of positions, programs, or activities shall be used~~  
6 ~~for those purposes for which the appropriations were approved by the General~~  
7 ~~Assembly.~~

8 ~~(2) The reallocation of resources through consolidation or reorganization~~  
9 ~~may include the Graduate Institute of Technology, provided that the~~  
10 ~~appropriated funds or positions for this program shall not be transferred~~  
11 ~~from the central Arkansas area.~~

12 ~~(3) The transfers, consolidation, or reorganization which involve academic~~  
13 ~~programs shall be reviewed by the Department of Higher Education and the~~  
14 ~~Legislative Council.~~

15  
16 SECTION 16. SPECIAL LANGUAGE. Arkansas Code Annotated 6-65-225, concerning  
17 Consolidation of administrative functions, is repealed:

18  
19 ~~(a) Upon determination by the President of Arkansas State University~~  
20 ~~that a reallocation of resources for purposes of reorganization or~~  
21 ~~consolidation of administrative functions within the university is necessary~~  
22 ~~for efficient and effective operations of the university, the president, with~~  
23 ~~approval of the Board of Trustees of Arkansas State University, may have the~~  
24 ~~authority to transfer positions, appropriations, and related funds between~~  
25 ~~campuses, divisions, branches, and other budgetary units of the university.~~

26 ~~(b) The transfers of positions, programs, or activities shall be used~~  
27 ~~for those purposes for which the appropriations were approved by the General~~  
28 ~~Assembly.~~

29 ~~(c) The transfers, consolidation, or reorganization which involve~~  
30 ~~academic programs shall be reviewed by the Department of Higher Education and~~  
31 ~~the Legislative Council.~~

32  
33 SECTION 17. SPECIAL LANGUAGE. Arkansas Code Annotated 6-62-309, concerning  
34 Bonds or notes - Liability, is amended by adding a subsection:

35  
36 (c) Upon a determination of the board of trustees that a reallocation of

1 resources is necessary for the purposes of preventing a default on its  
2 indebtedness, the board of trustees has specific authority to transfer funds  
3 between and among campuses, divisions and other budgetary units of its  
4 institution of higher education. Upon exercising the authority to reallocate  
5 resources as provided by this section, the board of trustees shall report the  
6 reasons for, and the details of, such reallocations to the Legislative  
7 Council or Joint Budget Committee immediately thereafter.

8  
9 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
10 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMERGENCY  
11 GRANTS & EXTRA HELP POOL. An Institution of higher education that suffers an  
12 emergency/disaster event resulting in all or a significant portion of campus  
13 operations being interrupted, may request disaster assistance through the  
14 Arkansas Department of Higher Education. Upon the declaration of an  
15 emergency by the Governor, the institution may request, subject to the  
16 recommendation of the Director of the Department of Higher Education and  
17 approval of the Governor, a grant from the Disaster Relief Fund to assist in  
18 returning that campus to operation and/or to a sister campus providing  
19 services to the students from the affected campus. Certified law enforcement  
20 officers employed by an institution of higher education may be granted  
21 jurisdiction at the sister institution, upon agreement of both institutions.

22 The Department of Higher Education is authorized a pool of 500 extra  
23 help positions for use in such emergency situations. These positions may be  
24 assigned to the campus suffering the disaster event or to a sister campus  
25 providing services to the students from the affected campus. The Governor  
26 may waive the 1500 hour limit of ACA 6-63-314 on these assigned extra help  
27 pool positions.

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

30  
31 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
33 REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon  
34 determination by the president or chancellor of an institution of higher  
35 education that a reallocation of resources for purposes of reorganization or  
36 consolidation of administrative functions within the institution is necessary

1 for efficient and effective operations of the institution, the president or  
2 chancellor, with approval of the institution's board of trustees, may have  
3 the authority to transfer positions, appropriations and related funds between  
4 campuses, divisions, branches, and other budgetary units of the institution,  
5 after receiving prior approval of the Legislative Council or Joint Budget  
6 Committee. The transfers of positions, programs, or activities shall be used  
7 for those purposes for which the appropriations were approved by the General  
8 Assembly. The transfers, consolidations, or reorganizations which involve  
9 academic programs shall be reviewed by the Department of Higher Education  
10 prior to submission to the Legislative Council or Joint Budget Committee.  
11 Provided, however, that the institution shall be limited to submitting no  
12 more than four (4) individual transaction transfer requests during any fiscal  
13 year and shall be further limited to no more than five percent (5%) of the  
14 total General Revenue and Special Revenue appropriation, funding, positions  
15 specific to each institution, and no Tobacco Settlement funds or  
16 appropriations may be reallocated pursuant to this section.

17 Determining the maximum number of employees and the maximum amount of  
18 appropriation and general revenue funding for institutions of higher  
19 education each fiscal year is the prerogative of the General Assembly. This  
20 is usually accomplished by delineating such maximums in the appropriation  
21 act(s) for institutions of higher education and the general revenue  
22 allocations authorized for each fund and fund account by amendment to the  
23 Revenue Stabilization law. Further, the General Assembly has determined that  
24 institutions of higher education may operate more efficiently if some  
25 flexibility is provided to institutions of higher education authorizing broad  
26 powers under this Section. Therefore, it is both necessary and appropriate  
27 that the General Assembly maintain oversight by requiring prior approval of  
28 the Legislative Council or Joint Budget Committee as provided by this  
29 section. The requirement of approval by the Legislative Council or Joint  
30 Budget Committee is not a severable part of this section. If the requirement  
31 of approval by the Legislative Council or Joint Budget Committee is ruled  
32 unconstitutional by a court of competent jurisdiction, this entire section is  
33 void.

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

36

1 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR  
2 PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INSTITUTIONS' POSITIONS  
3 ANALYSIS/REPORT. In order to appropriately allocate and maximize efficient use of authorized positions, each  
4 institution of higher education shall conduct an analysis of all positions authorized in its respective appropriation  
5 acts. This analysis must address the utilization of positions, the ability to competitively recruit and retain  
6 employees, and any other personnel related issue that affects the institution's ability to effectively manage its human  
7 resources. Prior to the budget preparations for the 2009-2011 Biennium, but not later than August 31, 2007, a  
8 report of the analysis shall be made to the Personnel Subcommittee of the Arkansas Legislative Council or the Joint  
9 Budget Committee. Included in that report shall be recommendations for reduction or elimination of positions that  
10 are not used, are not needed, or are no longer suitable for use. The number of retained positions must be  
11 historically accurate and be a programmatically defensible level for each institution. Additionally, the report shall  
12 include recommendations for adequate position authorizations which may include new or additional positions,  
13 titles, grades, salary ranges, or other personnel related issues that may require legislative action. Any  
14 recommendation for salary level adjustment must be based on prevailing wage data published by the Arkansas  
15 Department of Labor for the geographical area in which each institution is located or other appropriate market  
16 data. The review and analysis shall be coordinated by the Arkansas Department of Higher Education, which will  
17 compile, prepare, and submit the final report.

18 The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.  
19

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

31 The provisions of this section shall be in effect only from July 1, ~~2005~~  
32 2007 through June 30, ~~2007~~ 2009.  
33

34 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORK  
36 FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made

1 available to the various technical colleges have been determined as set out  
2 in Arkansas Code 26-51-205(d)(2), such documents as may be necessary shall be  
3 processed so that funds may be transferred from the Work Force 2000  
4 Development Fund to the State Treasury fund or fund account from which the  
5 technical college draws its general revenue support. Such funds as may be  
6 transferred shall not exceed 93.69% of the total funds available from the  
7 Work Force 2000 Development Fund during each fiscal year of the biennial  
8 period ending June 30, ~~2007~~ 2009.

9 In the event that a technical institute or comprehensive lifelong learning  
10 center which receives support from the Work Force 2000 Development Fund as  
11 determined by law transfers or merges into the Arkansas Technical College and  
12 Community College System for which Work Force 2000 Development Fund monies  
13 are determined by law, then the actual amount of support from the Work Force  
14 2000 Development Fund in the preceding fiscal year for such educational  
15 institution shall be made available irrespective of any other provision of  
16 law which sets out maximum levels of support from such fund.

17 The provisions of this section shall be in effect only from July 1, ~~2005~~  
18 2007 through June 30, ~~2007~~ 2009.

19

20 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BUILDING  
22 MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited into the  
23 Higher Education Building Maintenance Fund, the next \$10,000,000 or so much  
24 as is collected, is to be transferred to the Research Development Fund there  
25 to be used as provided by law.

26 The provisions of this section shall be in effect only from July 1, ~~2005~~  
27 2007 through June 30, ~~2007~~ 2009.

28

29 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO  
31 EXPENDITURES. Proceeds derived from the repayment of loans as authorized in  
32 Items ~~(07), (02), (03) and (08)~~ (15), (16) and (05) of Section 4 of this Act  
33 for ~~the Emergency Secondary Education Loans~~, the JR/SR Minority Teacher  
34 Scholars, the Minority Masters Fellows and the ~~Targeted Teacher Development~~  
35 ~~Program~~ State Teacher Assistance Resource Program shall be deposited into the  
36 State Treasury as "Refunds to Expenditures."

1 The provisions of this section shall be in effect only from July 1, 2005  
2 2007 through June 30, ~~2007~~ 2009.

3  
4 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
6 FORWARD. The balance of the funds and appropriations as provided in Section  
7 4 of this Act for the Governor's Scholars Program and the Academic Challenge  
8 Scholarships Program which remain on June 30, ~~2006~~ 2008, shall be carried  
9 forward and made available for the same purpose for the fiscal year ending  
10 June 30, ~~2007~~ 2009.

11  
12 Any carry forward of unexpended balance of appropriation and/or funding as  
13 authorized herein, may be carried forward under the following conditions:

14  
15 (1) Prior to June 30, 2008 the Agency shall by written statement set forth  
16 its reason(s) for the need to carry forward said appropriation and/or funding  
17 to the Department of Finance and Administration Office of Budget;

18  
19 (2) The Department of Finance and Administration Office of Budget shall  
20 report to the Arkansas Legislative Council all amounts carried forward from  
21 the first fiscal year of the biennium to the second fiscal year of the  
22 biennium by the September Arkansas Legislative Council or Joint Budget  
23 Committee meeting in the second fiscal year of the biennial period which  
24 report shall include the name of the Agency, Board, Commission or Institution  
25 and the amount of the appropriation and/or funding carried forward from the  
26 first fiscal year to the second fiscal year, the program name or line item,  
27 the funding source of that appropriation and a copy of the written request  
28 set forth in (1) above;

29  
30 (3) Each Agency, Board, Commission or Institution shall provide a written  
31 report to the Arkansas Legislative Council or Joint Budget Committee  
32 containing all information set forth in item (2) above, along with a written  
33 statement as to the current status of the project, contract, purpose etc. for  
34 which the carry forward was originally requested no later than thirty (30)  
35 days prior to the time the Agency, Board, Commission or Institution presents  
36 its budget request to the Arkansas Legislative Council/Joint Budget

1 Committee; and

2  
3 (4) Thereupon, the Department of Finance and Administration shall include  
4 all information obtained in item (3) above in the biennial budget manuals  
5 and/or a statement of non-compliance by the Agency, Board, Commission or  
6 Institution.

7  
8 The provisions of this section shall be in effect only from July 1, 2005  
9 2007 through June 30, ~~2007~~ 2009.

10  
11 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NATIONAL  
13 GUARD TUITION ASSISTANCE PROGRAM. In addition to any other provisions of law,  
14 any student who receives assistance from the appropriation made for the  
15 "National Guard Tuition Assistance Program" in this Act shall repay any loans  
16 and/or assistance if the student receives a discharge that is a less than  
17 Honorable Discharge. Priority for funding shall be given to students already  
18 receiving assistance from the National Guard Tuition Assistance Program.

19 The provisions of this section shall be in effect only from July 1, 2005  
20 2007 through June 30, ~~2007~~ 2009.

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

30 The provisions of this section shall be in effect only from July 1, 2005  
31 2007 through June 30, ~~2007~~ 2009.

32  
33 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE  
35 SAVINGS BONDS. The Department of Higher Education shall adopt rules and  
36 regulations for the allocation of the funds reappropriated for the

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

16 The provisions of this section shall be in effect only from July 1, ~~2005~~  
17 2007 through June 30, ~~2007~~ 2009.

18

19 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COLLEGE  
21 SAVINGS BONDS LIMITATIONS. The total principal amount of bonds to be issued  
22 during any fiscal biennium shall not exceed three-hundred million dollars  
23 (\$300,000,000), nor shall the principal amount of bonds outstanding at any  
24 time have debt service requirements in excess of twenty-four million dollars  
25 (\$24,000,000) in any one fiscal year from all state revenue sources.

26 The provisions of this section shall be in effect only from July 1, ~~2005~~  
27 2007 through June 30, ~~2007~~ 2009.

28

29 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
31 FORWARD - HEALTH EDUCATION GRANTS. The balance of the funds and  
32 appropriations as provided for "Health Education Grants" in this Act which  
33 remain on June 30, ~~2006~~ 2008, shall be carried forward and made available for  
34 the same purposes for the fiscal year ending June 30, ~~2007~~ 2009.

35

36 Any carry forward of unexpended balance of appropriation and/or funding as



1 authorized herein, may be carried forward under the following conditions:

2  
3 (1) Prior to June 30, 2008 the Agency shall by written statement set forth  
4 its reason(s) for the need to carry forward said appropriation and/or funding  
5 to the Department of Finance and Administration Office of Budget;

6  
7 (2) The Department of Finance and Administration Office of Budget shall  
8 report to the Arkansas Legislative Council all amounts carried forward from  
9 the first fiscal year of the biennium to the second fiscal year of the  
10 biennium by the September Arkansas Legislative Council or Joint Budget  
11 Committee meeting in the second fiscal year of the biennial period which  
12 report shall include the name of the Agency, Board, Commission or Institution  
13 and the amount of the appropriation and/or funding carried forward from the  
14 first fiscal year to the second fiscal year, the program name or line item,  
15 the funding source of that appropriation and a copy of the written request  
16 set forth in (1) above;

17  
18 (3) Each Agency, Board, Commission or Institution shall provide a written  
19 report to the Arkansas Legislative Council or Joint Budget Committee  
20 containing all information set forth in item (2) above, along with a written  
21 statement as to the current status of the project, contract, purpose etc. for  
22 which the carry forward was originally requested no later than thirty (30)  
23 days prior to the time the Agency, Board, Commission or Institution presents  
24 its budget request to the Arkansas Legislative Council/Joint Budget  
25 Committee; and

26  
27 (4) Thereupon, the Department of Finance and Administration shall include  
28 all information obtained in item (3) above in the biennial budget manuals  
29 and/or a statement of non-compliance by the Agency, Board, Commission or  
30 Institution.

31  
32 The provisions of this section shall be in effect only from July 1, 2005  
33 2007 through June 30, ~~2007~~ 2009.

34  
35 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH

1 EDUCATION GRANTS - PRIORITIES. The Arkansas Higher Education Coordinating  
2 Board, after consulting with the recognized associations of each of the  
3 applicable medical professions and other interested persons, shall determine  
4 the priorities for the applicable programs enumerated in the appropriation  
5 made for "Health Education Grants and Loans" in this Act. The Arkansas  
6 Department of Higher Education, if necessary, shall re-adjust the number of  
7 positions for entering students to be funded for each applicable program  
8 based upon the priorities determined by the board.

9 The provisions of this section shall be in effect only from July 1, ~~2005~~  
10 2007 through June 30, ~~2007~~ 2009.

11  
12 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FINANCIAL  
14 AID PROGRAMS REPORTING. The Arkansas Department of Higher Education shall  
15 report by May 30 to the House and Senate Interim Committees on Education the  
16 budgeted allocation for each financial aid program funded through the Higher  
17 Education Grants Fund Account for the upcoming fiscal year and projections  
18 for the following year.

19 The provisions of this section shall be in effect only from July 1, ~~2005~~  
20 2007 through June 30, ~~2007~~ 2009.

21  
22 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
24 AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that  
25 receives state scholarship funds administered by the Arkansas Department of  
26 Higher Education shall be subject to audit/review of such funds by the  
27 Division of Legislative Audit, upon approval of the Legislative Joint Audit  
28 Committee.

29 The provisions of this section shall be in effect only from July 1, ~~2005~~  
30 2007 through June 30, ~~2007~~ 2009.

31  
32 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AUDIT  
34 DATA. All post-secondary institutions shall provide to the Arkansas  
35 Department of Higher Education a copy of the Integrated Post-Secondary  
36 Education Data System (IPEDS) within three weeks following the IPEDS due

1 date, which shall be subject to audit by the Arkansas Department of Higher  
2 Education.

3 The provisions of this section shall be in effect only from July 1, ~~2005~~  
4 2007 through June 30, ~~2007~~ 2009.

5

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

8 APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY  
9 TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of  
10 Higher Education shall determine the amount available, up to \$200,000 per  
11 fiscal year, to fund the Arkansas Geographical Critical Needs Minority  
12 Teacher Scholarships and shall certify to the Chief Fiscal Officer of the  
13 State and the State Treasurer such amount as is required to be transferred  
14 from the Higher Education Grants Fund Account. Upon receiving such  
15 certification, the Chief Fiscal Officer of the State and the State Treasurer  
16 shall cause to be transferred the necessary funds and appropriation to the  
17 fund account of the University of Arkansas at Pine Bluff for implementation  
18 of this program. The University of Arkansas at Pine Bluff may use up to  
19 twenty percent (20%) of the funds and appropriation for administration of the  
20 program.

21 The provisions of this section shall be in effect only from July 1, ~~2005~~  
22 2007 through June 30, ~~2007~~ 2009.

23

24 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING

26 FOR SALARY INCREASES. New funding through the Revenue Stabilization Act  
27 determined by the Arkansas Department of Higher Education to have been for  
28 salary increases for each year of the ~~2005-2007~~ 2007-2009 Biennium for  
29 Institutions of Higher Education shall be used exclusively for salary  
30 increases. New funding actually received for salary increases shall be spent  
31 exclusively for salary increases based upon the state general revenue portion  
32 of total unrestricted educational and general revenue. Funding received under  
33 this provision shall be used for no purpose other than to provide such salary  
34 increases. Any designated funds not used for salary increases shall be  
35 recouped at the end of each fiscal year and transferred to the General  
36 Revenue Allotment Reserve Fund.

1 The provisions of this section shall be in effect only from July 1, 2005  
2 2007 through June 30, ~~2007~~ 2009.

3  
4 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HIGHER  
6 EDUCATION COORDINATOR OF RECRUITMENT FUNDING: The Chief Fiscal Officer of the  
7 State shall transfer the sums of ninety thousand, four hundred seventy-four  
8 dollars (\$90,474) for fiscal year ending June 30, ~~2006~~ 2008 and ninety-two  
9 thousand, seven hundred seventy-six dollars (\$92,776) for fiscal year ending  
10 June 30, ~~2007~~ 2009 from the Higher Education Grants Fund Account to the  
11 Department of Higher Education Fund Account in order to finance the personal  
12 services costs of the Higher Education Coordinator of Recruitment.

13 The provisions of this section shall be in effect only from July 1, 2005  
14 2007 through June 30, ~~2007~~ 2009.

15  
16 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
18 PROVISION. Upon certification by the Director of the Department of Higher  
19 Education that transfers are needed to make maximum utilization of funds and  
20 appropriations provided for financial aid programs, and with the approval of  
21 the Chief Fiscal Officer of the State and a review by the Arkansas  
22 Legislative Council, funds and appropriations may be transferred between  
23 financial aid programs, except that funds and appropriations may not be  
24 transferred for such purposes from either the Governor's Scholars Program or  
25 the Academic Challenge Scholarships Program in excess of \$1,000,000 in the  
26 aggregate in either fiscal year. Any transfer restrictions contained in  
27 appropriation acts for the Department of Higher Education relating to  
28 appropriation transfers from Governor's Scholars Program and Academic  
29 Challenge Scholarships shall not be applicable to transfers between  
30 Governor's Scholars and Academic Challenge Scholarship appropriations.

31 The provisions of this section shall be in effect only from July 1, 2005  
32 2007 through June 30, ~~2007~~ 2009.

33  
34 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
36 OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS.

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

6 The provisions of this section shall be in effect only from July 1, ~~2005~~  
7 2007 through June 30, ~~2007~~ 2009.

8  
9 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a) Upon approval by  
12 the Department of Higher Education and the Chief Fiscal Officer of the State,  
13 institutions of higher education may transfer appropriation from the cash  
14 contingency appropriation to any other appropriation made to the institution  
15 from cash funds and institutions may transfer appropriation from the  
16 contingency appropriation made payable from each institution's State Treasury  
17 Fund to the state operations appropriation made payable from each  
18 institution's State Treasury Fund.

19 (b) The department shall report monthly to the Legislative Council these  
20 appropriation transfers, and the report shall include, by institution, the  
21 amounts transferred, the reasons therefor and the source of the funds.

22  
23 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STUDENT  
25 UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the Student  
26 Undergraduate Research Fellowship (SURF) Program is the continued development  
27 of undergraduate academic research efforts at Arkansas colleges and  
28 universities. The Arkansas Department of Higher Education shall adopt rules  
29 and regulations necessary for the proper administration of the Student  
30 Undergraduate Research Fellowship Program. Administrative functions and  
31 responsibilities may include, but not necessarily be limited to, the  
32 development of eligibility criteria, collection of applications, coordination  
33 of student evaluations, distribution of public notices, and funding of grants  
34 for academic research purposes. Staff of the Arkansas Department of Higher  
35 Education shall administer this program. The Arkansas Department of Higher  
36 Education shall be authorized to expense costs associated with the

1 administration of the program, from funds made payable from the Higher  
2 Education Grants Fund Account for the Student Undergraduate Research  
3 Fellowship Program as authorized in Section 4 of this Act.  
4

5 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
7 COOPERATION AGREEMENTS. Any two-year institution of Higher Education that has  
8 its main or a satellite campus located within a twenty five mile radius of  
9 any four-year institution of higher education shall enter into a written  
10 agreement with that four-year institution which must address duplication of  
11 services between the institutions.

12 The provisions of this section shall be in effect only from July 1, 2005  
13 2007 through June 30, ~~2007~~ 2009.  
14

15 SECTION 43. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
16 by this act shall be limited to the appropriation for such agency and funds  
17 made available by law for the support of such appropriations; and the  
18 restrictions of the State Procurement Law, the General Accounting and  
19 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
20 Procedures and Restrictions Act, or their successors, and other fiscal  
21 control laws of this State, where applicable, and regulations promulgated by  
22 the Department of Finance and Administration, as authorized by law, shall be  
23 strictly complied with in disbursement of said funds.  
24

25 SECTION 44. LEGISLATIVE INTENT. It is the intent of the General Assembly  
26 that any funds disbursed under the authority of the appropriations contained  
27 in this act shall be in compliance with the stated reasons for which this act  
28 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
29 and Legislative Recommendations contained in the budget manuals prepared by  
30 the Department of Finance and Administration, letters, or summarized oral  
31 testimony in the official minutes of the Arkansas Legislative Council or  
32 Joint Budget Committee which relate to its passage and adoption.  
33

34 SECTION 45. EMERGENCY CLAUSE. It is found and determined by the General  
35 Assembly, that the Constitution of the State of Arkansas prohibits the  
36 appropriation of funds for more than a two (2) year period; that the

1 effectiveness of this Act on July 1, 2007 is essential to the operation of  
2 the agency for which the appropriations in this Act are provided, and that in  
3 the event of an extension of the Regular Session, the delay in the effective  
4 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
5 proper administration and provision of essential governmental programs.  
6 Therefore, an emergency is hereby declared to exist and this Act being  
7 necessary for the immediate preservation of the public peace, health and  
8 safety shall be in full force and effect from and after July 1, 2007.

9  
10 */s/ Joint Budget Committee*  
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