

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 S3/28/07*

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	
	2007-2008	2008-2009
8 <u>NO.</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 including the establishment of commitment items, and
 16 ~~institutions~~ may transfer appropriation from the contingency appropriation
 17 made payable from each institution's State Treasury Fund to the state
 18 operations appropriation made payable from each institution's State Treasury
 19 Fund including the establishment of commitment items, and may transfer
 20 appropriation from the contingency appropriation made payable from the
 21 Tobacco Settlement Program Fund Accounts to any other appropriation made to
 22 the institution from Tobacco Settlement Program Fund Accounts including the
 23 establishment of commitment items.*

24 *(b) Contingency appropriation transfers shall only establish and
 25 supplement commitment items that were recommended by the Higher Education
 26 Coordinating Board in the budget manuals presented to the Legislative Council
 27 and Joint Budget Committee for the 2007-2009 Biennium.*

28 *~~(b)(c)~~ The department Department of Higher Education shall report monthly
 29 contingency appropriation transfers and the establishment of any commitment
 30 items authorized by this Section for the 2007-2009 Biennium to the
 31 Legislative Council or Joint Budget Committee for review during its July 2007
 32 meeting. these appropriation transfers, and the The report shall include, by
 33 institution, the establishment of, and the amounts transferred to, each
 34 commitment item, the reasons therefor and the source of ~~the~~ funds.
 35 Institutions shall submit contingency appropriation transfer and commitment
 36 item establishment requests for the 2007-2009 Biennium authorized by this*

1 Section to the Department of Higher Education no later than July 1, 2007.
2 Upon the failure of an institution to submit the required information by the
3 July 1, 2007 deadline, the Department of Higher Education shall immediately
4 notify by written notification the chairpersons of the Legislative Council or
5 Joint Budget Committee.

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

8
9 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STUDENT
11 UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the Student
12 Undergraduate Research Fellowship (SURF) Program is the continued development
13 of undergraduate academic research efforts at Arkansas colleges and
14 universities. The Arkansas Department of Higher Education shall adopt rules
15 and regulations necessary for the proper administration of the Student
16 Undergraduate Research Fellowship Program. Administrative functions and
17 responsibilities may include, but not necessarily be limited to, the
18 development of eligibility criteria, collection of applications, coordination
19 of student evaluations, distribution of public notices, and funding of grants
20 for academic research purposes. Staff of the Arkansas Department of Higher
21 Education shall administer this program. The Arkansas Department of Higher
22 Education shall be authorized to expense costs associated with the
23 administration of the program, from funds made payable from the Higher
24 Education Grants Fund Account for the Student Undergraduate Research
25 Fellowship Program as authorized in Section 4 of this Act.

26
27 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
29 COOPERATION AGREEMENTS. Any two-year institution of Higher Education that has
30 its main or a satellite campus located within a twenty five mile radius of
31 any four-year institution of higher education shall enter into a written
32 agreement with that four-year institution which must address duplication of
33 services between the institutions.

34 The provisions of this section shall be in effect only from July 1, 2005
35 2007 through June 30, 2007 2009.

36

1 SECTION 43. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
2 by this act shall be limited to the appropriation for such agency and funds
3 made available by law for the support of such appropriations; and the
4 restrictions of the State Procurement Law, the General Accounting and
5 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
6 Procedures and Restrictions Act, or their successors, and other fiscal
7 control laws of this State, where applicable, and regulations promulgated by
8 the Department of Finance and Administration, as authorized by law, shall be
9 strictly complied with in disbursement of said funds.

10
11 SECTION 44. LEGISLATIVE INTENT. It is the intent of the General Assembly
12 that any funds disbursed under the authority of the appropriations contained
13 in this act shall be in compliance with the stated reasons for which this act
14 was adopted, as evidenced by the Agency Requests, Executive Recommendations
15 and Legislative Recommendations contained in the budget manuals prepared by
16 the Department of Finance and Administration, letters, or summarized oral
17 testimony in the official minutes of the Arkansas Legislative Council or
18 Joint Budget Committee which relate to its passage and adoption.

19
20 SECTION 45. EMERGENCY CLAUSE. It is found and determined by the General
21 Assembly, that the Constitution of the State of Arkansas prohibits the
22 appropriation of funds for more than a two (2) year period; that the
23 effectiveness of this Act on July 1, 2007 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the Regular Session, the delay in the effective
26 date of this Act beyond July 1, 2007 could work irreparable harm upon the
27 proper administration and provision of essential governmental programs.
28 Therefore, an emergency is hereby declared to exist and this Act being
29 necessary for the immediate preservation of the public peace, health and
30 safety shall be in full force and effect from and after July 1, 2007.

31
32 /s/ Joint Budget Committee
33
34
35
36