

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H3/23/99*

# A Bill

Act 1545 of 1999  
SENATE BILL 666

5 By: Senator Gordon  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO CREATE THE ARKANSAS RESEARCH MATCHING FUND;  
10 TO PRESCRIBE BASIC GUIDELINES ON HOW THE FUND SHOULD  
11 BE USED; TO DECLARE AN EMERGENCY; AND FOR OTHER  
12 PURPOSES. "

## Subtitle

14 "TO CREATE THE ARKANSAS RESEARCH MATCHING  
15 FUND; TO PRESCRIBE GUIDELINES FOR THE  
16 USE OF THE FUND. "  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Legislative Intent. A national ranking of Arkansas' research  
23 performance in comparison with other states places our state 49<sup>th</sup>. In order  
24 to be competitive in our economic and educational endeavors, it is critical  
25 that our research capabilities be upgraded. To be competitive will require a  
26 commitment on behalf of the state that is specifically targeted to improving  
27 our ranking among the states in the areas of science and engineering  
28 graduates, university research and development, federal research and  
29 development and Small Business Innovation Research (SBIR) grants. The  
30 commitment necessary to improve our ranking is to be found in investing in  
31 research and research infrastructure.  
32

33 SECTION 2. Creation of the Arkansas Research Matching Fund. There is  
34 hereby created the Arkansas Research Matching Fund. This Fund shall be  
35 administered by the Arkansas Science and Technology Authority and shall be for  
36 the benefit of colleges and universities located within the State of Arkansas.

1 In order to qualify for the research monies to be made available through this  
2 Fund, schools must be a two-year or four-year accredited institution of post-  
3 secondary education. Consortiums of eligible institutions are eligible and  
4 encouraged to apply for these funds. The Fund shall be focused on basic and  
5 strategic research.

6  
7 SECTION 3. Administration of Fund.

8 (a) In order to obtain monies from this Fund:

9 (1) A college or university may provide the Arkansas Science and  
10 Technology Authority with the research grant proposal for federal funds,  
11 submitted with a letter of intent to apply for match, to one of the funding  
12 agencies identified in Section 5(a);

13 (2) A college or university shall apply to the Arkansas Science and  
14 Technology Authority for a match from this Fund, in writing, within two weeks  
15 of the notice of an award of federal funds from one of the funding agencies  
16 identified in Section 5(a). In addition to the grant proposal submitted to  
17 the federal agency, the application shall include an approved budget and an  
18 official notice of the grant award from the federal funding agency; and

19 (3) A college or university shall adhere to the rules and  
20 regulations, which may be promulgated by the Arkansas Science and Technology  
21 Authority for administration of this Fund.

22 (b) The Arkansas Science and Technology Authority shall:

23 (1) Upon receipt of an application for matching funds to match  
24 federal funds from one of the funding agencies identified in Section 5(a),  
25 establish a chronological order of match eligibility;

26 (2) Promptly review applications for matching funds, in the order  
27 of receipt of the applications for match, for consistency with this act; and

28 (3) The Arkansas Science and Technology Authority Board of  
29 Directors shall insure that no commitments for matching funds shall be made in  
30 excess of funds available for any given year and shall review and approve  
31 those applications which have: (A) provided the information on the application  
32 for matching funds in accordance with the provisions of this act; (B) included  
33 an official notice of award of a research grant from one of the funding  
34 agencies identified in Section 5 (a); and (C) filed a proposal for federal  
35 funding consistent with the types of research authorized by this act.

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1           SECTION 4. Disbursement of Funds.

2           (a) The matching funds authorized by this act are to be used primarily  
3 to attract federal funds to the state for basic and strategic research.

4           (b) The Arkansas Science and Technology Authority Board of Directors may  
5 approve multi-year research grants, but disbursements of the matching funds  
6 authorized by this act shall be for no more than a twelve (12) month period.

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8           SECTION 5. Funds for Match. Funds used under the provisions of this act  
9 shall adhere to the following criteria:

10          (1) Be used for the purposes of matching an approved grant from an  
11 eligible federal agency, limited to the following:

12           (A) National Science Foundation;

13           (B) National Institutes of Health;

14           (C) Department of Energy;

15           (D) Department of Defense;

16           (E) Environmental Protection Agency;

17           (F) National Aeronautics and Space Administration;

18           (G) Department of Agriculture;

19           (H) Department of Transportation;

20           (I) Department of Commerce; and

21           (J) Department of Education.

22          (2) Proposals for federal funds that contain a specific state/federal  
23 match requirement, for the purposes of this act, shall not be matched at a  
24 rate of more than fifty percent (50%); except that any portion of match over  
25 fifty percent (50%) may be borne by the college or university. Proposals for  
26 federal funds that do not contain a specific state/federal match requirement,  
27 for the purposes of this act, shall not be matched at a rate of more than ten  
28 percent (10%), provided that the state share is matched dollar for dollar by  
29 the college or university for a combined match of not more than twenty percent  
30 (20%); except that any portion of match over twenty percent (20%) may be borne  
31 by the college or university; and

32          (3) A state financial match requirement of at least *twenty thousand*  
33 *dollars* (\$20,000) for equipment matching and at least fifty thousand dollars  
34 (\$50,000) for research project matching.

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36          SECTION 6. Reporting. The Arkansas Science and Technology Authority

1 shall present to the Governor's Office and the Arkansas General Assembly a  
2 report on the investment from the Arkansas Research Matching Fund by April 1  
3 of each even numbered year.

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5 SECTION 7. Prohibition. None of the monies appropriated by the Arkansas  
6 General Assembly for the Arkansas Research Matching Fund shall be used for the  
7 construction of new facilities.

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9 SECTION 8. Rules and Regulations. The Arkansas Science and Technology  
10 Authority has the authority to establish guidelines by which eligible  
11 institutions might access research funds created by this act through the  
12 promulgation of administrative rules and regulations in accordance with the  
13 Arkansas Administrative Procedure Act, beginning at § 25-15-201.

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15 SECTION 9. Effective Date. Matching grants may be authorized under this  
16 act for any federal funding awarded on or after July 1, 1999.

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18 SECTION 10. All provisions of this act of a general and permanent nature  
19 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
20 Revision Commission shall incorporate the same in the Code.

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22 SECTION 11. If any provision of this act or the application thereof to  
23 any person or circumstance is held invalid, such invalidity shall not affect  
24 other provision or applications of the act which can be given effect without  
25 the invalid provision or application, and to this end the provisions of this  
26 act are declared to be severable.

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28 SECTION 12. All laws or parts of laws in conflict with this act are  
29 hereby repealed.

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31 SECTION 13. Emergency Clause. It is hereby found and determined by the  
32 Eighty-second General Assembly that in order for the benefits of this act to  
33 be accessible in a timeframe consistent with the availability of appropriated  
34 funds, it is necessary for the act to be effective on July 1, 1999; that the  
35 benefits of this act may provide opportunities that would not be available  
36 should funds be available and the means to use those funds not be consistent;

1 and that funding cycles for federal grants may be present in the interim.  
2 Therefore, an emergency is declared to exist and this act being necessary for  
3 the preservation of the public peace, health and safety shall be in full force  
4 and effect on and after July 1, 1999.

5 */s/ Gordon*

8 APPROVED: 4/15/1999

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