

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL 647

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR COOPERATIVE PROGRAMS
9 FOR THE DEPARTMENT OF HIGHER EDUCATION FOR THE BIENNIAL
10 PERIOD ENDING JUNE 30, 1993; AND FOR OTHER PURPOSES."

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12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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14 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
15 Department of Higher Education, to be payable from the General Improvement
16 Fund or its successor fund or fund accounts, the following:

17 (A) *For cooperative programs, including University of Arkansas at*
18 *Fayetteville Cooperative Extension Service Programs, the sum of*
19 *.....\$5,000,000.*

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21 SECTION 2. TRANSFERS. *Upon certification by the Director of the*
22 *Department of Higher Education that transfers are needed to make proper*
23 *utilization of the funds and appropriation provided in Section 1 of this Act*
24 *for cooperative programs, and with the approval of the Chief Fiscal Officer of*
25 *the State, such funds and appropriation may be transferred to various*
26 *institutions of higher education.*

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28 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
29 obligations otherwise incurred in relation to the project or projects
30 described herein in excess of the State Treasury funds actually available
31 therefor as provided by law. Provided, however, that institutions and
32 agencies listed herein shall have the authority to accept and use grants and
33 donations including Federal funds, and to use its unobligated cash income or
34 funds, or both available to it, for the purpose of supplementing the State
35 Treasury funds for financing the entire costs of the project or projects

1 enumerated herein. Provided further, that the appropriations and funds
2 otherwise provided by the General Assembly for Maintenance and General
3 Operations of the agency or institutions receiving appropriation herein shall
4 not be used for any of the purposes as appropriated in this Act.

5 (B) The restrictions of any applicable provisions of the State
6 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
7 Revenue Stabilization Law and any other applicable fiscal control laws of this
8 State and regulations promulgated by the Department of Finance and
9 Administration, as authorized by law, shall be strictly complied with in
10 disbursement of any funds provided by this Act unless specifically provided
11 otherwise by law.

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13 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this Act shall be in compliance with the stated reasons for which
16 this Act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 5. CODE. All provisions of this Act of a general and permanent
23 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
24 Code Revision Commission shall incorporate the same in the Code.

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26 SECTION 6. SEVERABILITY. If any provision of this Act or the
27 application thereof to any person or circumstance is held invalid, such
28 invalidity shall not affect other provisions or applications of the Act which
29 can be given effect without the invalid provision or application, and to this
30 end the provisions of this Act are declared to be severable.

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32 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict
33 with this Act are hereby repealed.

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35 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
36 Seventy-Eighth General Assembly, that the Constitution of the State of

1 Arkansas prohibits the appropriation of funds for more than a two (2) year
2 period; that the effectiveness of this Act on July 1, 1991 is essential to the
3 operation of the agency for which the appropriations in this Act are provided,
4 and that in the event of an extension of the Regular Session, the delay in the
5 effective date of this Act beyond July 1, 1991 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 1991.

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/s/Russ

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