

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

A Bill

SENATE BILL 653

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS SCIENCE
9 AND TECHNOLOGY AUTHORITY FOR MATCHING RESEARCH GRANTS AND
10 THE PROVISION OF BUSINESS INCUBATOR FACILITIES; AND FOR
11 OTHER PURPOSES."

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

15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
16 Arkansas Science and Technology Authority, to be payable from the General
17 Improvement Fund or its successor fund or fund accounts, the following:

18 (A) For providing matching grants to institutions of higher education
19 for promoting basic and applied research programs, the sum of \$2,614,000.

21 (B) For providing Business Incubator Facilities under the auspices of
22 Arkansas colleges and universities to foster the growth of technology based
23 enterprises, the sum of \$2,000,000.

25 (C) For costs incurred in the establishment of Centers for Excellence
26 as part of the Experimental Program to Stimulate Competitive Research, the sum
27 of \$3,000,000.

29 (D) For providing matching grants to the Centers for Applied Technology
30 Program, the sum of \$2,400,000.

32 SECTION 2. *The appropriations and funds provided by Items (A), (B), and*
33 *(D) of Section 1 herein may be transferred between such items or may be*
34 *transferred into the appropriation and funds provided by Subsection (C) of*
35 *Section 1.*

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2 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
3 obligations otherwise incurred in relation to the project or projects
4 described herein in excess of the State Treasury funds actually available
5 therefor as provided by law. Provided, however, that institutions and
6 agencies listed herein shall have the authority to accept and use grants and
7 donations including Federal funds, and to use its unobligated cash income or
8 funds, or both available to it, for the purpose of supplementing the State
9 Treasury funds for financing the entire costs of the project or projects
10 enumerated herein. Provided further, that the appropriations and funds
11 otherwise provided by the General Assembly for Maintenance and General
12 Operations of the agency or institutions receiving appropriation herein shall
13 not be used for any of the purposes as appropriated in this Act.

14 (B) The restrictions of any applicable provisions of the State
15 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
16 Revenue Stabilization Law and any other applicable fiscal control laws of this
17 State and regulations promulgated by the Department of Finance and
18 Administration, as authorized by law, shall be strictly complied with in
19 disbursement of any funds provided by this Act unless specifically provided
20 otherwise by law.

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

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

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35 SECTION 6. SEVERABILITY. If any provision of this Act or the
36 application thereof to any person or circumstance is held invalid, such

1 invalidity shall not affect other provisions or applications of the Act which
2 can be given effect without the invalid provision or application, and to this
3 end the provisions of this Act are declared to be severable.

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

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8 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
9 Seventy-Eighth General Assembly, that the Constitution of the State of
10 Arkansas prohibits the appropriation of funds for more than a two (2) year
11 period; that the effectiveness of this Act on July 1, 1991 is essential to the
12 operation of the agency for which the appropriations in this Act are provided,
13 and that in the event of an extension of the Regular Session, the delay in the
14 effective date of this Act beyond July 1, 1991 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health and
18 safety shall be in full force and effect from and after July 1, 1991.

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20 /s/Russ

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