

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

A BILL ACT 1072 OF 1991
SENATE BILL 489

For An Act To Be Entitled

"AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS SCIENCE AND
TECHNOLOGY AUTHORITY; AND FOR OTHER PURPOSES."

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

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

(A) Effective July 1, 1991, the balance of the appropriation provided in
Item (A) of Section 1 of Act 50 of the First Extraordinary Session of 1989,
for providing matching grants to institutions of higher education for
promoting basic and applied research programs, and for providing Business
Incubator Facilities under the auspices of Arkansas colleges and universities
to foster the growth of technology based enterprises, in a sum not to exceed
.....\$395,971.

(B) Effective July 1, 1991, the balance of the appropriation provided in
Item (C) of Section 1 of Act 50 of the First Extraordinary Session of 1989,
for costs incurred in the establishment of Technological Centers for
Excellence to be located at institutions of higher education which are
recognized for excellence in specific technological areas, in a sum not to
exceed... ..\$640,000.

SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
obligations otherwise incurred in relation to the project or projects
described herein in excess of the State Treasury funds actually available
therefor as provided by law. Provided, however, that institutions and

1 agencies listed herein shall have the authority to accept and use grants and
2 donations including Federal funds, and to use its unobligated cash income or
3 funds, or both available to it, for the purpose of supplementing the State
4 Treasury funds for financing the entire costs of the project or projects
5 enumerated herein. Provided further, that the appropriations and funds
6 otherwise provided by the General Assembly for Maintenance and General
7 Operations of the agency or institutions receiving appropriation herein shall
8 not be used for any of the purposes as appropriated in this Act.

9 (B) Any restrictions contained in the Acts enumerated in the
10 reappropriation sections of this Act, the restrictions of any applicable
11 provisions of the State Purchasing Law, the General Accounting and Budgetary
12 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal
13 control laws of this State and regulations promulgated by the Department of
14 Finance and Administration, as authorized by law, shall be strictly complied
15 with in disbursement of any funds provided by this Act unless specifically
16 provided otherwise by law.

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18 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General
19 Assembly that any funds disbursed under the authority of the appropriations
20 contained in this Act shall be in compliance with the stated reasons for which
21 this Act was adopted, as evidenced by the Agency Requests, Executive
22 Recommendations and Legislative Recommendations contained in the budget
23 manuals prepared by the Department of Finance and Administration, letters, or
24 summarized oral testimony in the official minutes of the Arkansas Legislative
25 Council or Joint Budget Committee which relate to its passage and adoption.

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27 SECTION 4. CODE. All provisions of this Act of a general and permanent
28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
29 Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 5. SEVERABILITY. If any provision of this Act or the
32 application thereof to any person or circumstance is held invalid, such
33 invalidity shall not affect other provisions or applications of the Act which
34 can be given effect without the invalid provision or application, and to this
35 end the provisions of this Act are declared to be severable.

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

SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects provided enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will cease thereby depriving the citizens of the State of the benefits to be derived from such projects. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval.

APPROVED: 4-9-91

