

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Joint Budget Committee**

# A Bill

**ACT 1029 OF 1995**  
**SENATE BILL 260**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR THE TRANSFER OF FUNDS  
9 AND APPROPRIATION TO THE VARIOUS INSTITUTIONS OF HIGHER  
10 EDUCATION FOR ADDITIONAL SUPPORT BY THE DEPARTMENT OF  
11 FINANCE AND ADMINISTRATION - DISBURSING OFFICER ACCORDING  
12 TO PRODUCTIVITY GOALS AND MEASURES AS APPROVED AND  
13 DIRECTED BY THE STATE BOARD OF HIGHER EDUCATION FOR THE  
14 BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER  
15 PURPOSES."

## Subtitle

18 "AN ACT FOR THE DEPARTMENT OF FINANCE  
19 AND ADMINISTRATION - DISBURSING OFFICER  
20 APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

24 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
25 Department of Finance and Administration - Disbursing Officer, to be payable  
26 from the Higher Education Institutions Productivity Fund, for additional  
27 support for Institutions of Higher Education on the basis of institutional  
28 performance according to productivity goals and measures in the report  
29 entitled "Strategies for Improvement: Productivity Enhancement for Arkansas  
30 Higher Education" or as revised by subsequent motion of the State Board of  
31 Higher Education for the biennial period ending June 30, 1997, the following:

33 ITEM FISCAL YEARS

34 ~~NO.~~ ~~1995-96~~ ~~1996-97~~

35 (01) ADDITIONAL SUPPORT FOR INSTITUTIONS  
36 OF HIGHER EDUCATION BASED ON INSTITUTIONAL

1            PERFORMANCE ACCORDING TO PRODUCTIVITY  
2            GOALS AND MEASURES AS DETERMINED BY  
3            THE STATE BOARD OF HIGHER EDUCATION            \$10,000,000    \$15,000,000  
4

5            SECTION 2. After the amount to be made available to an Institution of  
6 Higher Education has been determined by the State Board of Higher Education,  
7 the Chief Fiscal Officer of the State shall process the documents necessary so  
8 that the funds may be transferred from the Higher Education Institutions  
9 Productivity Fund to the State Treasury fund or fund account from which the  
10 Institution of Higher Education draws its general revenue support.

11           The Chief Fiscal Officer of the State shall also cause an equal amount  
12 of the appropriation provided in Item (01) of Section 1 of this Act to be  
13 transferred to the institution's appropriate line item appropriation or  
14 allocation, there to be supplemental and in addition to those appropriations  
15 or allocations provided by the General Assembly for personal services and  
16 operating expenses of the institution from the State Treasury Fund or fund  
17 account.

18  
19           SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
20 authorized by this Act shall be limited to the appropriation for such agency  
21 and funds made available by law for the support of such appropriations; and  
22 the restrictions of the State Purchasing Law, the General Accounting and  
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
24 Procedures and Restrictions Act, or their successors, and other fiscal control  
25 laws of this State, where applicable, and regulations promulgated by the  
26 Department of Finance and Administration, as authorized by law, shall be  
27 strictly complied with in disbursement of said funds.

28  
29           SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
30 Assembly that any funds disbursed under the authority of the appropriations  
31 contained in this Act shall be in compliance with the stated reasons for which  
32 this Act was adopted, as evidenced by the Agency Requests, Executive  
33 Recommendations and Legislative Recommendations contained in the budget  
34 manuals prepared by the Department of Finance and Administration, letters, or  
35 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

2

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

6

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

12

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

15

16 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
17 Eightieth General Assembly, that the Constitution of the State of Arkansas  
18 prohibits the appropriation of funds for more than a two (2) year period; that  
19 the effectiveness of this Act on July 1, 1995 is essential to the operation of  
20 the agency for which the appropriations in this Act are provided, and that in  
21 the event of an extension of the Regular Session, the delay in the effective  
22 date of this Act beyond July 1, 1995 could work irreparable harm upon the  
23 proper administration and provision of essential governmental programs.  
24 Therefore, an emergency is hereby declared to exist and this Act being  
25 necessary for the immediate preservation of the public peace, health and  
26 safety shall be in full force and effect from and after July 1, 1995.

27

28 APPROVED: 4-10-95

29

30

31

32

33

34

35

1

2