

As Engrossed: 3/17/95

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

A Bill

ACT 1065 OF 1995
SENATE BILL 759

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING ADDITIONAL
9 SUPPORT FOR THE AREA HEALTH EDUCATION CENTERS (AHEC'S) FOR
10 THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FOR THE
11 BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER
12 PURPOSES."

Subtitle

15 "AN ACT FOR THE UNIVERSITY OF ARKANSAS
16 FOR MEDICAL SCIENCES APPROPRIATION FOR
17 THE 1995-97 BIENNIUM."

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
22 University of Arkansas for Medical Sciences, to be payable from the University
23 of Arkansas Medical Center Fund, for providing additional support for the Area
24 Health Education Centers (AHEC's), which shall supplement and not supplant
25 current funds for the AHEC's, the sum of \$2,800,000 each fiscal year of the
26 biennial period ending June 30, 1997.

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28 SECTION 2. In addition to the loans authorized for the University of
29 Arkansas for Medical Sciences in Section 2 of Act 261 of the First
30 Extraordinary Session of 1989, and subject to the same procedures and
31 provisions, there is hereby authorized a loan of two million dollars
32 (\$2,000,000) for the 1995-97 biennium, which shall be transferred from the
33 Budget Stabilization Trust Fund to the University of Arkansas Medical Center
34 Fund in such amounts from time to time as needed and certified by the
35 Chancellor of the University of Arkansas for Medical Sciences to the Chief
36 Fiscal Officer of the State. The amounts so transferred shall be used

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1 exclusively to provide funds for the appropriation made in Section 1 of this
2 Act.

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4 SECTION 3. Revenues derived from the additional taxes levied on
5 alcoholic beverages in Section 3 of Act 261 of the First Extraordinary Session
6 of 1989 and credited to the University of Arkansas Medical Center Fund to be
7 used to repay loans made for the construction of specified projects authorized
8 in Act 261 shall continue to be used for the repayment of those loans, except
9 that revenues derived from such taxes during the period from July 1, 1995
10 through June 30, 1997 shall be used exclusively to fund appropriations made by
11 the Eightieth General Assembly to the University of Arkansas for Medical
12 Sciences for the support of the Area Health Education Centers.

13

14 SECTION 4. Subsection (B) of Section 3 of Act 261 of the First
15 Extraordinary Session of 1989 is amended to read as follows:

16 "(B) Beginning two years after any of the Research Facility is in use,
17 twenty-five percent (25%) of the annual increase above such year in federal
18 grant indirect cost reimbursements shall be computed and used exclusively for
19 making loan repayments, except that during the period from July 1, 1995
20 through June 30, 1997, such funds shall be used to fund additional
21 appropriations made by the Eightieth General Assembly to the University of
22 Arkansas for Medical Sciences for the support of the Area Health Education
23 Centers."

24

25 SECTION 5. Section 4 of Act 261 of the First Extraordinary Session of
26 1989 is hereby amended to read as follows:

27 "SECTION 4. CALCULATION AND METHOD OF LOAN REPAYMENT. The State
28 Treasurer shall be responsible for calculating and maintaining a record of
29 loan repayments to be made by the University of Arkansas for Medical Sciences.
30 Loan repayments shall be made on July 1 of each fiscal year until such time
31 as the loan has been repaid, with the exception of the 1995-97 biennium. Each
32 annual loan repayment shall consist of the actual net receipts from both the
33 additional tax levied by this Act and the actual amount of indirect cost
34 reimbursements as required by this Act. Annual interest shall be calculated
35 upon the unpaid balance of the loan, with the exception of the 1995-97

1 biennium. Monies deposited into the University of Arkansas Medical Center
2 Fund from the additional tax levied by this Act shall be transferred each July
3 1 to the Budget Stabilization Trust Fund by the Chief Fiscal Officer of the
4 State, with the exception of the 1995-97 biennium. Indirect cost
5 reimbursement monies, as required by this Act, shall be paid each July 1, or
6 as soon thereafter as is practicable, by check to the credit of the Budget
7 Stabilization Trust Fund as a trust fund receipt by the University of Arkansas
8 for Medical Sciences, with the exception of the 1995-97 biennium."

9

10 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
11 authorized by this Act shall be limited to the appropriation for such agency
12 and funds made available by law for the support of such appropriations; and
13 the restrictions of the State Purchasing Law, the General Accounting and
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
15 Procedures and Restrictions Act, the Higher Education Expenditure Restrictions
16 Act, or their successors, and other fiscal control laws of this State, where
17 applicable, and regulations promulgated by the Department of Finance and
18 Administration, as authorized by law, shall be strictly complied with in
19 disbursement of said funds.

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21 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
22 Assembly that any funds disbursed under the authority of the appropriations
23 contained in this Act shall be in compliance with the stated reasons for which
24 this Act was adopted, as evidenced by the Agency Requests, Executive
25 Recommendations and Legislative Recommendations contained in the budget
26 manuals prepared by the Department of Finance and Administration, letters, or
27 summarized oral testimony in the official minutes of the Arkansas Legislative
28 Council or Joint Budget Committee which relate to its passage and adoption.

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30 SECTION 8. CODE. All provisions of this Act of a general and
31 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
32 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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34 SECTION 9. SEVERABILITY. If any provision of this Act or the
35 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.

4

5 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict
6 with this Act are hereby repealed.

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8 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
9 Eightieth General Assembly, that the Constitution of the State of Arkansas
10 prohibits the appropriation of funds for more than a two (2) year period; that
11 the effectiveness of this Act on July 1, 1995 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the Regular Session, the delay in the effective
14 date of this Act beyond July 1, 1995 could work irreparable harm upon the
15 proper administration and provision of essential governmental programs.
16 Therefore, an emergency is hereby declared to exist and this Act being
17 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, 1995.

19

/s/Russ

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APPROVED: 4-10-95

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SB 759

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