

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 1070 OF 1995
SENATE BILL 770

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE *DEPARTMENT OF*
9 *FINANCE AND ADMINISTRATION - DISBURSING OFFICER* TO BE USED
10 IN MAKING GRANTS FOR THE DEVELOPMENT OF A STATEWIDE
11 DISTANCE LEARNING AND TELEMEDICINE NETWORK; AND FOR OTHER
12 PURPOSES."

Subtitle

15 "AN ACT FOR THE *DEPARTMENT OF FINANCE*
16 *AND ADMINISTRATION - DISBURSING OFFICER*
17 CAPITAL IMPROVEMENT APPROPRIATION."

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 *Department of Finance and Administration - Disbursing Officer, to be payable*
23 *from the Telecommunications and Information Technology Fund, from funds*
24 *received from the General Improvement Fund from time to time, the following:*

25 (A) For providing grants to public and/or non-profit entities for the
26 development of a statewide distance learning and telemedicine network, the sum
27 of \$4,000,000.

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29 *SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor*
30 *obligations otherwise incurred in relation to the project or projects*
31 *described herein in excess of the State Treasury funds actually available*
32 *therefor as provided by law. Provided, however, that institutions and*
33 *agencies listed herein shall have the authority to accept and use grants and*
34 *donations including Federal funds, and to use its unobligated cash income or*
35 *funds, or both available to it, for the purpose of supplementing the State*
36 *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 3. 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 4. 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 5. 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 6. GENERAL REPEALER. All laws and parts of laws in conflict
33 with this Act are hereby repealed.

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35 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the

1 Eightieth General Assembly, that the Constitution of the State of Arkansas
2 prohibits the appropriation of funds for more than a two (2) year period; that
3 the effectiveness of this Act on July 1, 1995 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the Regular Session, the delay in the effective
6 date of this Act beyond July 1, 1995 could work irreparable harm upon the
7 proper administration and provision of essential governmental programs.
8 Therefore, an emergency is hereby declared to exist and this Act being
9 necessary for the immediate preservation of the public peace, health and
10 safety shall be in full force and effect from and after July 1, 1995.

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/s/Russ

APPROVED: 4-10-95

