

As Engrossed: 2/17/95

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

A Bill

ACT 417 OF 1995
HOUSE BILL 1671

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 EDUCATION - ARKANSAS STATE LIBRARY TO PROVIDE ADDITIONAL
10 AID TO PUBLIC LIBRARIES; AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT FOR THE DEPARTMENT OF EDUCATION
14 - ARKANSAS STATE LIBRARY CAPITAL
15 IMPROVEMENT APPROPRIATION."

16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
20 Department of Education - Arkansas State Library, to be payable from the
21 General Improvement Fund or its successor fund or fund accounts, the
22 following:

23 (A) For additional aid to Public Libraries, the sum of\$600,000.

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25 SECTION 2. The appropriation made herein shall be distributed on a per
26 capita basis to city, county and regional library systems participating in the
27 Aid to Public Libraries Program, and which have expended a minimum of 12% of
28 its funds annually on library materials during each of the two preceding
29 calendar years as reported to the Arkansas State Library. Library materials
30 shall be defined for purposes of this act as books, periodicals, audio-
31 visuals, microforms, and other information media. General Improvement Funds
32 shall not be used to calculate the 12% minimum spending level for library
33 materials.

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35 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
36 obligations otherwise incurred in relation to the project or projects

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

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

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

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

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32 SECTION 6. SEVERABILITY. If any provision of this Act or the
33 application thereof to any person or circumstance is held invalid, such
34 invalidity shall not affect other provisions or applications of the Act which
35 can be given effect without the invalid provision or application, and to this

1 end the provisions of this Act are declared to be severable.

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

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

17 */s/Rep. E. Thicksten*

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19 APPROVED: 2-23-95

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HB 1671

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