

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 255 of 1999  
SENATE BILL 167

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING  
10 EXPENSES AND INSTITUTIONAL LIBRARY HOLDINGS FOR THE  
11 DEPARTMENT OF HIGHER EDUCATION WHICH SHALL BE  
12 SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS  
13 APPROPRIATED BY ACT 1211 OF 1997; AND FOR OTHER  
14 PURPOSES. "

## Subtitle

16 "AN ACT FOR THE DEPARTMENT OF HIGHER  
17 EDUCATION - OPERATING EXPENSES AND  
18 INSTITUTIONAL LIBRARY HOLDINGS  
19 SUPPLEMENTAL APPROPRIATION. "  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. APPROPRIATION - GENERAL OPERATIONS - SUPPLEMENTAL. There is  
26 hereby appropriated, to the Department of Higher Education, to be payable from  
27 the Department of Higher Education Fund Account, for operating expenses of the  
28 Department of Higher Education which shall be supplemental and in addition to  
29 those funds appropriated in Section 3 of Act 1211 of 1997, the following:  
30

31 ITEM	FISCAL YEAR
32 NO.	1998-1999
33 (01) MAINT. & GEN. OPERATION	
34 (A) OPER. EXPENSE	86,042
35 (B) CONF. & TRAVEL	0
36 (C) PROF. FEES	0

\*JKD039\*

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 86,042</u>

4

5 SECTION 2. APPROPRIATION - INSTITUTIONAL LIBRARY HOLDINGS. There is hereby  
 6 appropriated, to the Department of Higher Education, to be payable from the  
 7 Department of Higher Education Fund Account, for institutional library  
 8 holdings of the Department of Higher Education which shall be supplemental and  
 9 in addition to those funds appropriated in Act 1211 of 1997, the following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>1998-1999</u>
13	(01) LIBRARY HOLDINGS	\$ <u>4,000,000</u>

14

15 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 16 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LIBRARY  
 17 HOLDINGS ALLOCATIONS. Funds appropriated in Section 2 herein shall be  
 18 disbursed as follows: a total of \$1,000,000 shall be allocated to the  
 19 University of Arkansas at Fayetteville; a total of \$1,000,000 shall be  
 20 allocated to the Arkansas State University - Jonesboro; and the balance of  
 21 \$2,000,000 shall be allocated to the remaining four-year institutions of  
 22 higher education based upon the current formula adopted by the Arkansas Higher  
 23 Education Coordinating Board (AHECB) for the distribution of available monies  
 24 designated for library holdings.

25

26 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUNDING  
 28 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal  
 29 Officer of the State shall transfer on his books and those of the State  
 30 Treasurer the sum of four million dollars (\$4,000,000) from the General  
 31 Revenue Allotment Reserve Fund to the Department of Higher Education Fund  
 32 Account to provide funds for the appropriation provided in Section 2 herein.

33

34 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
 35 this act shall be limited to the appropriation for such agency and funds made  
 36 available by law for the support of such appropriations; and the restrictions

1 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
 2 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
 3 Restrictions Act, or their successors, and other fiscal control laws of this  
 4 State, where applicable, and regulations promulgated by the Department of  
 5 Finance and Administration, as authorized by law, shall be strictly complied  
 6 with in disbursement of said funds.

7  
 8 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 9 that any funds disbursed under the authority of the appropriations contained  
 10 in this act shall be in compliance with the stated reasons for which this act  
 11 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 12 and Legislative Recommendations contained in the budget manuals prepared by  
 13 the Department of Finance and Administration, letters, or summarized oral  
 14 testimony in the official minutes of the Arkansas Legislative Council or Joint  
 15 Budget Committee which relate to its passage and adoption.

16  
 17 SECTION 7. CODE. All provisions of this Act of a general and permanent  
 18 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
 19 Code Revision Commission shall incorporate the same in the Code.

20  
 21 SECTION 8. SEVERABILITY. If any provision of this act or the application  
 22 thereof to any person or circumstance is held invalid, such invalidity shall  
 23 not affect other provisions or applications of the act which can be given  
 24 effect without the invalid provision or application, and to this end the  
 25 provisions of this act are declared to be severable.

26  
 27 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with  
 28 this act are hereby repealed.

29  
 30 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
 31 Eighty-second General Assembly, that funds provided by the General Assembly  
 32 for the operations of the Department of Higher Education are, due to  
 33 unforeseen circumstances, insufficient for the Department of Higher Education  
 34 to continue to provide essential governmental services; that the provisions of  
 35 this act will provide the necessary monies for the Department of Higher  
 36 Education to continue such services; and that a delay in the effective date of

1 this Act could work irreparable harm upon the proper administration and  
2 provision of essential governmental programs. Therefore, an emergency is  
3 hereby declared to exist and this Act being necessary for the immediate  
4 preservation of the public peace, health and safety shall be in full force and  
5 effect from and after the date of its passage and approval.

6 If the bill is neither approved nor vetoed by the Governor, it shall become  
7 effective on the expiration of the period of time during which the Governor  
8 may veto the bill. If the bill is vetoed by the Governor and the veto is  
9 overridden, it shall become effective on the date the last house overrides the  
10 veto.

11  
12  
13 APPROVED: 2/24/1999  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36