

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

# **A Bill**

**ACT 1063 OF 1995**  
**SENATE BILL 755**

## **For An Act To Be Entitled**

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF  
9 HIGHER EDUCATION TO PROVIDE MATCHING FUNDS TO ASSIST  
10 PUBLICLY SUPPORTED INSTITUTIONS OF HIGHER EDUCATION IN  
11 OBTAINING FEDERAL RESEARCH GRANTS; AND FOR OTHER  
12 PURPOSES."

## **Subtitle**

15 "AN ACT FOR THE DEPARTMENT OF HIGHER  
16 EDUCATION CAPITAL IMPROVEMENT  
17 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 Higher Education, to be payable from the General Improvement  
23 Fund or its successor fund or fund accounts, the following:

24 (A) For research grant matching funds for the publicly supported  
25 institutions of higher education, the sum of ..... \$2,000,000.

26  
27 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
28 obligations otherwise incurred in relation to the project or projects  
29 described herein in excess of the State Treasury funds actually available  
30 therefor as provided by law. Provided, however, that institutions and  
31 agencies listed herein shall have the authority to accept and use grants and  
32 donations including Federal funds, and to use its unobligated cash income or  
33 funds, or both available to it, for the purpose of supplementing the State  
34 Treasury funds for financing the entire costs of the project or projects  
35 enumerated herein. Provided further, that the appropriations and funds  
36 otherwise provided by the General Assembly for Maintenance and General

1 Operations of the agency or institutions receiving appropriation herein shall  
2 not be used for any of the purposes as appropriated in this Act.

3 (B) The restrictions of any applicable provisions of the State  
4 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
5 Revenue Stabilization Law and any other applicable fiscal control laws of this  
6 State and regulations promulgated by the Department of Finance and  
7 Administration, as authorized by law, shall be strictly complied with in  
8 disbursement of any funds provided by this Act unless specifically provided  
9 otherwise by law.

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11 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General  
12 Assembly that any funds disbursed under the authority of the appropriations  
13 contained in this Act shall be in compliance with the stated reasons for which  
14 this Act was adopted, as evidenced by the Agency Requests, Executive  
15 Recommendations and Legislative Recommendations contained in the budget  
16 manuals prepared by the Department of Finance and Administration, letters, or  
17 summarized oral testimony in the official minutes of the Arkansas Legislative  
18 Council or Joint Budget Committee which relate to its passage and adoption.

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

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24 SECTION 5. SEVERABILITY. If any provision of this Act or the  
25 application thereof to any person or circumstance is held invalid, such  
26 invalidity shall not affect other provisions or applications of the Act which  
27 can be given effect without the invalid provision or application, and to this  
28 end the provisions of this Act are declared to be severable.

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

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33 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the  
34 Eightieth General Assembly, that the Constitution of the State of Arkansas  
35 prohibits the appropriation of funds for more than a two (2) year period; that

1 the effectiveness of this Act on July 1, 1995 is essential to the operation of  
2 the agency for which the appropriations in this Act are provided, and that in  
3 the event of an extension of the Regular Session, the delay in the effective  
4 date of this Act beyond July 1, 1995 could work irreparable harm upon the  
5 proper administration and provision of essential governmental programs.  
6 Therefore, an emergency is hereby declared to exist and this Act being  
7 necessary for the immediate preservation of the public peace, health and  
8 safety shall be in full force and effect from and after July 1, 1995.

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*/s/Russ*

APPROVED: 4-10-95

