

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/29/01

A Bill

Act 1579 of 2001
HOUSE BILL 1755

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY
10 OF ARKANSAS - DIVISION OF AGRICULTURE FOR
11 PERSONAL SERVICES AND OPERATING EXPENSES FOR THE
12 OPERATIONS OF THE ARKANSAS BIOSCIENCES INSTITUTE;
13 AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT FOR THE UNIVERSITY OF ARKANSAS -
16 DIVISION OF AGRICULTURE - ARKANSAS
17 BIOSCIENCES INSTITUTE APPROPRIATION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION - ARKANSAS BIOSCIENCES INSTITUTE. There is
24 hereby appropriated, to the University of Arkansas - Division of Agriculture
25 - Arkansas Biosciences Institute, to be payable from the Arkansas Biosciences
26 Institute Program Account of the Tobacco Settlement Program Fund, for
27 personal services and maintenance and operations of the University of
28 Arkansas - Division of Agriculture - Arkansas Biosciences Institute, for the
29 biennial period ending June 30, 2003, the following:
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ITEM	FISCAL YEARS	
	2001-2002	2002-2003
32 NO.		
34 (01) REGULAR SALARIES	\$ 262,130	\$ 723,080
35 (02) PERSONAL SERV MATCHING	61,408	169,562
36 (03) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	160,937	623,937
2	(B) CONF. & TRAVEL	0	0
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	392,755	764,221
5	(E) DATA PROC.	<u>0</u>	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 877,230</u>	<u>\$ 2,280,800</u>

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8 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 10 FORWARD. Such appropriation as is authorized in this Act which remains at the
 11 end of the first fiscal year of the biennium may be carried forward into the
 12 second fiscal year of the biennium there to be used for the same purposes.

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14 SECTION 3. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 15 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 16 RESTRICTIONS. The appropriations provided in this act shall not be
 17 transferred under the provisions of Arkansas Code 19-4-522 or the provisions
 18 of Arkansas Code 6-62-104, but only as provided by this act.

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20 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 22 PROVISIONS. The state-supported institution of higher education in this act
 23 may transfer appropriations between the various line items within each
 24 appropriation contained in this appropriation act. Such transfers shall be
 25 made only after the approval of the Department of Higher Education and the
 26 Chief Fiscal Officer of the State, and the approval of the Legislative
 27 Council.

28 The General Assembly has determined that the institution in this act
 29 could be operated more efficiently if some flexibility is given to that
 30 institution and that flexibility is being accomplished by providing authority
 31 to transfer between items of appropriation made by this act. Since the
 32 General Assembly has granted the institution broad powers under the transfer
 33 of appropriations, it is both necessary and appropriate that the General
 34 Assembly maintain oversight of the utilization of the transfers by requiring
 35 prior approval of the Legislative Council in the utilization of the transfer
 36 authority. Therefore, the requirement of approval by the Legislative Council

1 is not a severable part of this section. If the requirement of approval by
2 the Legislative Council is ruled unconstitutional by a court jurisdiction,
3 this entire section is void.

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5 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS.
7 Nothing in this act shall be construed as a commitment of the State of
8 Arkansas or any of its agencies or institutions to continue funding any
9 position paid from the proceeds of the Tobacco Settlement in the event that
10 Tobacco Settlement funds are not sufficient to finance the position.

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12 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
14 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act
15 shall be limited to the appropriation for such agency and funds made
16 available by law for the support of such appropriations; and the restrictions
17 of the State Purchasing Law, the General Accounting and Budgetary Procedures
18 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
19 Restrictions Act, or their successors, and other fiscal control laws of this
20 State, where applicable, and regulations promulgated by the Department of
21 Finance and Administration, as authorized by law, shall be strictly complied
22 with in disbursement of said funds.

23
24 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
25 Assembly that any funds disbursed under the authority of the appropriations
26 contained in this act shall be in compliance with the stated reasons for
27 which this act was adopted, as evidenced by Initiated Act 1 of 2000, the
28 Agency Requests, Executive Recommendations and Legislative Recommendations
29 contained in the budget manuals prepared by the Department of Finance and
30 Administration, letters, or summarized oral testimony in the official minutes
31 of the Arkansas Legislative Council or Joint Budget Committee which relate to
32 its passage and adoption.

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34 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
35 Eighty-third General Assembly, that the Constitution of the State of Arkansas
36 prohibits the appropriation of funds for more than a two (2) year period;

1 that the effectiveness of this Act on July 1, 2001 is essential to the
2 operation of the agency for which the appropriations in this Act are
3 provided, and that in the event of an extension of the Regular Session, the
4 delay in the effective date of this Act beyond July 1, 2001 could work
5 irreparable harm upon the proper administration and provision of essential
6 governmental programs. Therefore, an emergency is hereby declared to exist
7 and this Act being necessary for the immediate preservation of the public
8 peace, health and safety shall be in full force and effect from and after
9 July 1, 2001.

10 */s/ Joint Budget Committee*

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13 APPROVED: 4/13/2001
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