

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: *Joint Budget Committee***

A Bill

HOUSE BILL 1643

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE SOUTHERN ARKANSAS
9 UNIVERSITY FOR CONSTRUCTING, FURNISHING AND EQUIPPING A
10 PHYSICAL AND CULTURAL DEVELOPMENT CENTER; AND FOR OTHER
11 PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
16 Southern Arkansas University - Magnolia, to be payable from the General
17 Improvement Fund or its successor fund or fund accounts, the following:

18 (A) For constructing, furnishing and equipping a Physical and Cultural
19 Development Center, the sum of \$8,700,000.

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21 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
22 obligations otherwise incurred in relation to the project or projects
23 described herein in excess of the State Treasury funds actually available
24 therefor as provided by law. Provided, however, that institutions and
25 agencies listed herein shall have the authority to accept and use grants and
26 donations including Federal funds, and to use its unobligated cash income or
27 funds, or both available to it, for the purpose of supplementing the State
28 Treasury funds for financing the entire costs of the project or projects
29 enumerated herein. Provided further, that the appropriations and funds
30 otherwise provided by the General Assembly for Maintenance and General
31 Operations of the agency or institutions receiving appropriation herein shall
32 not be used for any of the purposes as appropriated in this Act.

33 (B) The restrictions of any applicable provisions of the State
34 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
35 Revenue Stabilization Law and any other applicable fiscal control laws of this

1 State and regulations promulgated by the Department of Finance and
2 Administration, as authorized by law, shall be strictly complied with in
3 disbursement of any funds provided by this Act unless specifically provided
4 otherwise by law.

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

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

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

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

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28 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the
29 Seventy-Eighth General Assembly, that the Constitution of the State of
30 Arkansas prohibits the appropriation of funds for more than a two (2) year
31 period; that the effectiveness of this Act on July 1, 1991 is essential to the
32 operation of the agency for which the appropriations in this Act are provided,
33 and that in the event of an extension of the Regular Session, the delay in the
34 effective date of this Act beyond July 1, 1991 could work irreparable harm
35 upon the proper administration and provision of essential governmental
36 programs. Therefore, an emergency is hereby declared to exist and this Act

1 being necessary for the immediate preservation of the public peace, health and
2 safety shall be in full force and effect from and after July 1, 1991.

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/s/John E. Miller

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