

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: *Joint Budget Committee*

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## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF  
9 HIGHER EDUCATION FOR COOPERATIVE PROGRAMS FOR  
10 INSTITUTIONAL DEVELOPMENT; AND FOR OTHER PURPOSES."

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### Subtitle

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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 Higher Education, to be payable from the General Improvement  
21 Fund or its successor fund or fund accounts, the following:

22 (A) For cooperative programs for institutional development, the sum of  
23 \$6,300,000.

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25 SECTION 2. TRANSFERS. Upon certification by the Director of the  
26 Department of Higher Education that transfers are needed to make proper  
27 utilization of the funds and appropriation provided in Section 1 of this Act  
28 for cooperative programs for institutional development, and with the approval  
29 of the Chief Fiscal Officer of the State, such funds and appropriation may be  
30 transferred to various institutions of higher education.

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32 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
33 obligations otherwise incurred in relation to the project or projects  
34 described herein in excess of the State Treasury funds actually available  
35 therefor as provided by law. Provided, however, that institutions and

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

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

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

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

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

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

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

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*/s/Rep. E. Thicksten*

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***As Engrossed: 2/24/95***

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