

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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A Bill

SENATE BILL

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For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR THE TRANSFER OF FUNDS
 9 AND APPROPRIATION TO THE VARIOUS INSTITUTIONS OF HIGHER
 10 EDUCATION FOR ADDITIONAL SUPPORT BY THE DEPARTMENT OF
 11 FINANCE AND ADMINISTRATION - DISBURSING OFFICER ACCORDING
 12 TO PRODUCTIVITY GOALS AND MEASURES AS APPROVED AND
 13 DIRECTED BY THE STATE BOARD OF HIGHER EDUCATION FOR THE
 14 BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER
 15 PURPOSES."

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Subtitle

18 "AN ACT FOR THE DEPARTMENT OF FINANCE
 19 AND ADMINISTRATION - DISBURSING OFFICER
 20 APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

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24 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
 25 Department of Finance and Administration - Disbursing Officer, to be payable
 26 from the Higher Education Institutions Productivity Fund, for additional
 27 support for Institutions of Higher Education on the basis of institutional
 28 performance according to productivity goals and measures in the report
 29 entitled "Strategies for Improvement: Productivity Enhancement for Arkansas
 30 Higher Education" or as revised by subsequent motion of the State Board of
 31 Higher Education for the biennial period ending June 30, 1997, the following:

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33 ITEM	FISCAL YEARS	
34 NO.	1995-96	1996-97
35 (01)	ADDITIONAL SUPPORT FOR INSTITUTIONS	

1 OF HIGHER EDUCATION BASED ON INSTITUTIONAL
 2 PERFORMANCE ACCORDING TO PRODUCTIVITY
 3 GOALS AND MEASURES AS DETERMINED BY
 4 THE STATE BOARD OF HIGHER EDUCATION \$10,000,000 \$15,000,000

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 6 SECTION 2. After the amount to be made available to an Institution of
 7 Higher Education has been determined by the State Board of Higher Education,
 8 the Chief Fiscal Officer of the State shall process the documents necessary
 9 so that the funds may be transferred from the Higher Education Institutions
 10 Productivity Fund to the State Treasury fund or fund account from which the
 11 Institution of Higher Education draws its general revenue support.

12 The Chief Fiscal Officer of the State shall also cause an equal amount
 13 of the appropriation provided in Item (01) of Section 1 of this Act to be
 14 transferred to the institution's appropriate line item appropriation or
 15 allocation, there to be supplemental and in addition to those appropriations
 16 or allocations provided by the General Assembly for personal services and
 17 operating expenses of the institution from the State Treasury Fund or fund
 18 account.

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 20 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 21 authorized by this Act shall be limited to the appropriation for such agency
 22 and funds made available by law for the support of such appropriations; and
 23 the restrictions of the State Purchasing Law, the General Accounting and
 24 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 25 Procedures and Restrictions Act, or their successors, and other fiscal
 26 control laws of this State, where applicable, and regulations promulgated by
 27 the Department of Finance and Administration, as authorized by law, shall be
 28 strictly complied with in disbursement of said funds.

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 30 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
 31 Assembly that any funds disbursed under the authority of the appropriations
 32 contained in this Act shall be in compliance with the stated reasons for
 33 which this Act was adopted, as evidenced by the Agency Requests, Executive
 34 Recommendations and Legislative Recommendations contained in the budget
 35 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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17 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
18 Eightieth General Assembly, that the Constitution of the State of Arkansas
19 prohibits the appropriation of funds for more than a two (2) year period;
20 that the effectiveness of this Act on July 1, 1995 is essential to the
21 operation of the agency for which the appropriations in this Act are
22 provided, and that in the event of an extension of the Regular Session, the
23 delay in the effective date of this Act beyond July 1, 1995 could work
24 irreparable harm upon the proper administration and provision of essential
25 governmental programs. Therefore, an emergency is hereby declared to exist
26 and this Act being necessary for the immediate preservation of the public
27 peace, health and safety shall be in full force and effect from and after
28 July 1, 1995.

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