

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 759

4 By: *Joint Budget Committee*

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For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING ADDITIONAL
9 SUPPORT FOR THE AREA HEALTH EDUCATION CENTERS (AHEC'S) FOR
10 THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FOR THE
11 BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER
12 PURPOSES."

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Subtitle

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

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SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the University of Arkansas for Medical Sciences, to be payable from the University of Arkansas Medical Center Fund, for providing additional support for the Area Health Education Centers (AHEC's), which shall supplement and not supplant current funds for the AHEC's, the sum of \$2,800,000 each fiscal year of the biennial period ending June 30, 1997.

SECTION 2. In addition to the loans authorized for the University of Arkansas for Medical Sciences in Section 2 of Act 261 of the First Extraordinary Session of 1989, and subject to the same procedures and provisions, there is hereby authorized a loan of two million dollars (\$2,000,000) for the 1995-97 biennium, which shall be transferred from the Budget Stabilization Trust Fund to the University of Arkansas Medical Center Fund in such amounts from time to time as needed and certified by the Chancellor of the University of Arkansas for Medical Sciences to the Chief

1 Fiscal Officer of the State. The amounts so transferred shall be used
2 exclusively to provide funds for the appropriation made in Section 1 of this
3 Act.

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5 SECTION 3. Revenues derived from the additional taxes levied on
6 alcoholic beverages in Section 3 of Act 261 of the First Extraordinary
7 Session of 1989 and credited to the University of Arkansas Medical Center
8 Fund to be used to repay loans made for the construction of specified
9 projects authorized in Act 261 shall continue to be used for the repayment of
10 those loans, except that revenues derived from such taxes during the period
11 from July 1, 1995 through June 30, 1997 shall be used exclusively to fund
12 appropriations made by the Eightieth General Assembly to the University of
13 Arkansas for Medical Sciences for the support of the Area Health Education
14 Centers.

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16 SECTION 4. Subsection (B) of Section 3 of Act 261 of the First
17 Extraordinary Session of 1989 is amended to read as follows:

18 "(B) Beginning two years after any of the Research Facility is in use,
19 twenty-five percent (25%) of the annual increase above such year in federal
20 grant indirect cost reimbursements shall be computed and used exclusively for
21 making loan repayments, except that during the period from July 1, 1995
22 through June 30, 1997, such funds shall be used to fund additional
23 appropriations made by the Eightieth General Assembly to the University of
24 Arkansas for Medical Sciences for the support of the Area Health Education
25 Centers."

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27 SECTION 5. Section 4 of Act 261 of the First Extraordinary Session of
28 1989 is hereby amended to read as follows:

29 "SECTION 4. CALCULATION AND METHOD OF LOAN REPAYMENT. The State
30 Treasurer shall be responsible for calculating and maintaining a record of
31 loan repayments to be made by the University of Arkansas for Medical
32 Sciences. Loan repayments shall be made on July 1 of each fiscal year until
33 such time as the loan has been repaid, with the exception of the 1995-97
34 biennium. Each annual loan repayment shall consist of the actual net
35 receipts from both the additional tax levied by this Act and the actual

1 amount of indirect cost reimbursements as required by this Act. Annual
2 interest shall be calculated upon the unpaid balance of the loan, with the
3 exception of the 1995-97 biennium. Monies deposited into the University of
4 Arkansas Medical Center Fund from the additional tax levied by this Act shall
5 be transferred each July 1 to the Budget Stabilization Trust Fund by the
6 Chief Fiscal Officer of the State, with the exception of the 1995-97
7 biennium. Indirect cost reimbursement monies, as required by this Act, shall
8 be paid each July 1, or as soon thereafter as is practicable, by check to the
9 credit of the Budget Stabilization Trust Fund as a trust fund receipt by the
10 University of Arkansas for Medical Sciences, with the exception of the 1995-
11 97 biennium."

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13 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
14 authorized by this Act shall be limited to the appropriation for such agency
15 and funds made available by law for the support of such appropriations; and
16 the restrictions of the State Purchasing Law, the General Accounting and
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
18 Procedures and Restrictions Act, the Higher Education Expenditure
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.

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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 the Agency Requests, Executive
28 Recommendations and Legislative Recommendations contained in the budget
29 manuals prepared by the Department of Finance and Administration, letters, or
30 summarized oral testimony in the official minutes of the Arkansas Legislative
31 Council or Joint Budget Committee which relate to its passage and adoption.

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33 SECTION 8. CODE. All provisions of this Act of a general and
34 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
35 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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

SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

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

/s/Russ

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