

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 2084

4
5 By: Representative Malone

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE HENDERSON STATE
10 UNIVERSITY FOR THE COSTS OF OPERATIONS AND EQUIPMENT OF
11 THE SOUTHWEST ARKANSAS HIGHER EDUCATION CONSORTIUM; AND
12 FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE HENDERSON STATE
16 UNIVERSITY - SOUTHWEST ARKANSAS HIGHER
17 EDUCATION CONSORTIUM CAPITAL IMPROVEMENT
18 APPROPRIATION."

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

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22 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
23 Henderson State University, to be payable from the General Improvement Fund or
24 its successor fund or fund accounts, the following:

25 (A) For the costs of operations and equipment of the Southwest Arkansas
26 Higher Education Consortium, the sums of \$1,075,000 for the fiscal year ending
27 June 30, 1998, and \$559,450 for the fiscal year ending June 30, 1999.

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29 SECTION 2. SPECIAL LANGUAGE. There is created the Southwest Arkansas
30 Higher Education Consortium (SWAHEC) comprised of Cossatot Technical College,
31 Garland County Community College, Henderson State University, Ouachita
32 Technical College, Pulaski Technical College, Rich Mountain Community College,
33 Southern Arkansas University, SAU-Tech, and South Arkansas Community College
34 to establish and utilize high bandwidth connectivity within the consortium.
35 SWAHEC will provide a mixture of full-motion interactive video, compressed
36 video, and ISDN video and data to member institutions. Funding will be

1 allocated through the Henderson State University Fund, distributed by an
2 Executive Council comprised of one representative per institution in SWAHEC.

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4 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
5 obligations otherwise incurred in relation to the project or projects
6 described herein in excess of the State Treasury funds actually available
7 therefor as provided by law. Provided, however, that institutions and
8 agencies listed herein shall have the authority to accept and use grants and
9 donations including Federal funds, and to use its unobligated cash income or
10 funds, or both available to it, for the purpose of supplementing the State
11 Treasury funds for financing the entire costs of the project or projects
12 enumerated herein. Provided further, that the appropriations and funds
13 otherwise provided by the General Assembly for Maintenance and General
14 Operations of the agency or institutions receiving appropriation herein shall
15 not be used for any of the purposes as appropriated in this Act.

16 (B) The restrictions of any applicable provisions of the State
17 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
18 Revenue Stabilization Law and any other applicable fiscal control laws of this
19 State and regulations promulgated by the Department of Finance and
20 Administration, as authorized by law, shall be strictly complied with in
21 disbursement of any funds provided by this Act unless specifically provided
22 otherwise by law.

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

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SECTION 6. 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 7. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-First 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, 1997 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, 1997 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, 1997.

