

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

As Engrossed: S3/6/97

# A Bill

SENATE BILL 477

4  
5 By: *Joint Budget Committee*

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF  
10 ARKANSAS, FAYETTEVILLE TO ENCOURAGE THE ECONOMIC  
11 DEVELOPMENT OF ARKANSAS BY PROMOTING BASIC AND APPLIED  
12 RESEARCH WITH MATCHING FUNDS FOR SPECIFIED DEPARTMENTS AND  
13 RESEARCH CENTERS AT THE UNIVERSITY OF ARKANSAS,  
14 FAYETTEVILLE; AND FOR OTHER PURPOSES."

## Subtitle

16  
17 "AN ACT FOR THE UNIVERSITY OF ARKANSAS -  
18 MATCHING RESEARCH CENTER GRANTS AND  
19 CONTRACTS CAPITAL IMPROVEMENT  
20 APPROPRIATION."

21  
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23  
24 SECTION 1. BACKGROUND. The University of Arkansas, Fayetteville, as  
25 Arkansas' only institution of higher education classified by the Carnegie  
26 Foundation as a Research University, has the potential of bringing substantial  
27 additional external funding to the campus and State for research, but is  
28 increasingly hampered in those efforts by requirements for matching monies as  
29 part of the State's responsibility in the research enterprise. A strong  
30 research campus is a prerequisite to attracting high technology industry to  
31 Arkansas. The University of Arkansas has the potential to partner with  
32 existing industry in the State to strengthen their competitiveness in the  
33 global economy, and to partner with high technology industry located elsewhere  
34 to attract additional and higher paying jobs to Arkansas.

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36 The University of Arkansas houses the Mack-Blackwell Rural Transportation

1 Study Center, the only federally-supported national rural transportation  
2 center in the United States. As a rural state, Arkansas' economic future  
3 depends heavily upon effective transportation and a viable highway system.  
4 The Mack-Blackwell Rural Transportation Study Center was initiated with  
5 support of the Arkansas Highway Commission and works closely with it to  
6 develop solutions for rural transportation. By developing and disseminating  
7 knowledge in the latest technology, the Center is able to ensure continuing  
8 improvement in the State's transportation infrastructure.

9

10 The Logistics Center at the University of Arkansas is partially supported by  
11 client dues paid by businesses and industries which, in efforts to remain  
12 competitive, rely on the Center for research related to improved material  
13 handling logistics and processes. The success of such firms is crucial to  
14 Arkansas' economic development.

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16 The High Density Electronics Center (HiDEC) at the University of Arkansas  
17 receives awards from high technology companies to do leading-edge research  
18 which has the potential of producing revolutionary breakthroughs in the  
19 computer and telecommunications industries. Research on diamond films for  
20 heat dissipation in electronics has already shown value as a hard coating for  
21 machine tools and is expected to help the machine tool manufacturers in  
22 Arkansas. Additional developments in high density and high speed electronics  
23 has potential to attract or develop new high technology industries in  
24 Arkansas.

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26 The Department of Chemical Engineering at the University of Arkansas,  
27 Fayetteville, is developing research capabilities and faculty expertise in the  
28 area of Advanced Process Control, by which industrial processing plants are  
29 continuously monitored and automatically controlled for optimization and  
30 safety purposes. Industrial grants/dues for Advanced Process Control research  
31 projects, matched by State funds, will help Arkansas industries become and/or  
32 remain globally competitive.

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34 The General Assembly recognizes that, in order to remain successful and  
35 productive, these departments and centers must be able to qualify for current

1 and future grants, contracts, and client dues.

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3 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
4 University of Arkansas, to be used for one-to-one matching for the Mack-  
5 Blackwell Rural Transportation Study Center, the Logistics Center, the High  
6 Density Electronics Center, and the Department of Chemical Engineering to be  
7 payable from the General Improvement Fund or its successor fund or fund  
8 accounts, the following:

9 (A) For matching research center grants and contracts at the University  
10 of Arkansas, the sum of ..... \$3,300,000.

11

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

24 (B) The restrictions of any applicable provisions of the State  
25 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
26 Revenue Stabilization Law and any other applicable fiscal control laws of this  
27 State and regulations promulgated by the Department of Finance and  
28 Administration, as authorized by law, shall be strictly complied with in  
29 disbursement of any funds provided by this Act unless specifically provided  
30 otherwise by law.

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32 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
33 Assembly that any funds disbursed under the authority of the appropriations  
34 contained in this Act shall be in compliance with the stated reasons for which  
35 this Act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget  
2 manuals prepared by the Department of Finance and Administration, letters, or  
3 summarized oral testimony in the official minutes of the Arkansas Legislative  
4 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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19 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
20 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
21 prohibits the appropriation of funds for more than a two (2) year period; that  
22 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
23 the agency for which the appropriations in this Act are provided, and that in  
24 the event of an extension of the Regular Session, the delay in the effective  
25 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
26 proper administration and provision of essential governmental programs.  
27 Therefore, an emergency is hereby declared to exist and this Act being  
28 necessary for the immediate preservation of the public peace, health and  
29 safety shall be in full force and effect from and after July 1, 1997.

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/s/Russ et al

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