

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 478

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 AND THE UNIVERSITY OF ARKANSAS
11 DIVISION OF AGRICULTURE FOR MATCHING RESEARCH GRANTS; AND
12 FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE UNIVERSITY OF ARKANSAS -
16 MATCHING RESEARCH GRANTS CAPITAL
17 IMPROVEMENT APPROPRIATION."

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

21 SECTION 1. LEGISLATIVE INTENT. Recognizing that the University of
22 Arkansas, Fayetteville, and the University of Arkansas Division of Agriculture
23 have the potential of bringing substantial additional external funding to the
24 State for research but are increasingly hampered in those efforts by
25 requirements for matching monies, it is the intent of the General Assembly to
26 have the State support such research when the University is able to attract
27 grants and contracts for research and is willing, from other University funds,
28 to invest in such research with expenditures at least equal to the State's
29 match.

31 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
32 University of Arkansas, Fayetteville and the University of Arkansas Division
33 of Agriculture, to be payable from the General Improvement Fund or its
34 successor fund or fund accounts, the following:

35 (A) For matching research grants and contracts,
36 the sum of \$2,000,000.

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3 SECTION 3. CONDITIONS. The University will be allowed to draw from
4 this appropriation only as research grants and/or contracts are awarded and
5 must generate external funding of at least double the amount of the State's
6 match. In addition, the University must expend from other sources an amount
7 at least equal to the State's contribution(s) in order to qualify for the
8 matches.

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

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

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

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8 SECTION 7. 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 8. GENERAL REPEALER. All laws and parts of laws in conflict
15 with this Act are hereby repealed.

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17 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
18 Eighty-First General Assembly, that the Constitution of the State of Arkansas
19 prohibits the appropriation of funds for more than a two (2) year period; that
20 the effectiveness of this Act on July 1, 1997 is essential to the operation of
21 the agency for which the appropriations in this Act are provided, and that in
22 the event of an extension of the Regular Session, the delay in the effective
23 date of this Act beyond July 1, 1997 could work irreparable harm upon the
24 proper administration and provision of essential governmental programs.
25 Therefore, an emergency is hereby declared to exist and this Act being
26 necessary for the immediate preservation of the public peace, health and
27 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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