

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

SENATE BILL 167

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING
10 EXPENSES AND INSTITUTIONAL LIBRARY HOLDINGS FOR THE
11 DEPARTMENT OF HIGHER EDUCATION WHICH SHALL BE
12 SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS
13 APPROPRIATED BY ACT 1211 OF 1997; AND FOR OTHER
14 PURPOSES. "

Subtitle

16 "AN ACT FOR THE DEPARTMENT OF HIGHER
17 EDUCATION - OPERATING EXPENSES AND
18 INSTITUTIONAL LIBRARY HOLDINGS
19 SUPPLEMENTAL APPROPRIATION. "
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. APPROPRIATION - GENERAL OPERATIONS - SUPPLEMENTAL. There is
26 hereby appropriated, to the Department of Higher Education, to be payable from
27 the Department of Higher Education Fund Account, for operating expenses of the
28 Department of Higher Education which shall be supplemental and in addition to
29 those funds appropriated in Section 3 of Act 1211 of 1997, the following:
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31 ITEM	FISCAL YEAR
32 NO.	1998-1999
33 (01) MAINT. & GEN. OPERATION	
34 (A) OPER. EXPENSE	86,042
35 (B) CONF. & TRAVEL	0
36 (C) PROF. FEES	0

JKD039

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 86,042</u>

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5 SECTION 2. APPROPRIATION - INSTITUTIONAL LIBRARY HOLDINGS. There is hereby
 6 appropriated, to the Department of Higher Education, to be payable from the
 7 Department of Higher Education Fund Account, for institutional library
 8 holdings of the Department of Higher Education which shall be supplemental and
 9 in addition to those funds appropriated in Act 1211 of 1997, the following:

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11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>1998-1999</u>
13	(01) LIBRARY HOLDINGS	\$ <u>4,000,000</u>

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15 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 16 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LIBRARY
 17 HOLDINGS ALLOCATIONS. Funds appropriated in Section 2 herein shall be
 18 disbursed as follows: a total of \$1,000,000 shall be allocated to the
 19 University of Arkansas at Fayetteville; a total of \$1,000,000 shall be
 20 allocated to the Arkansas State University - Jonesboro; and the balance of
 21 \$2,000,000 shall be allocated to the remaining four-year institutions of
 22 higher education based upon the current formula adopted by the Arkansas Higher
 23 Education Coordinating Board (AHECB) for the distribution of available monies
 24 designated for library holdings.

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26 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUNDING
 28 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal
 29 Officer of the State shall transfer on his books and those of the State
 30 Treasurer the sum of four million dollars (\$4,000,000) from the General
 31 Revenue Allotment Reserve Fund to the Department of Higher Education Fund
 32 Account to provide funds for the appropriation provided in Section 2 herein.

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34 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
 35 this act shall be limited to the appropriation for such agency and funds made
 36 available by law for the support of such appropriations; and the restrictions

1 of the State Purchasing Law, the General Accounting and Budgetary Procedures
 2 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
 3 Restrictions Act, or their successors, and other fiscal control laws of this
 4 State, where applicable, and regulations promulgated by the Department of
 5 Finance and Administration, as authorized by law, shall be strictly complied
 6 with in disbursement of said funds.

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 8 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
 9 that any funds disbursed under the authority of the appropriations contained
 10 in this act shall be in compliance with the stated reasons for which this act
 11 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 12 and Legislative Recommendations contained in the budget manuals prepared by
 13 the Department of Finance and Administration, letters, or summarized oral
 14 testimony in the official minutes of the Arkansas Legislative Council or Joint
 15 Budget Committee which relate to its passage and adoption.

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

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 21 SECTION 8. SEVERABILITY. If any provision of this act or the application
 22 thereof to any person or circumstance is held invalid, such invalidity shall
 23 not affect other provisions or applications of the act which can be given
 24 effect without the invalid provision or application, and to this end the
 25 provisions of this act are declared to be severable.

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 27 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with
 28 this act are hereby repealed.

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 30 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
 31 Eighty-second General Assembly, that funds provided by the General Assembly
 32 for the operations of the Department of Higher Education are, due to
 33 unforeseen circumstances, insufficient for the Department of Higher Education
 34 to continue to provide essential governmental services; that the provisions of
 35 this act will provide the necessary monies for the Department of Higher
 36 Education to continue such services; and that a delay in the effective date of

1 this Act could work irreparable harm upon the proper administration and
2 provision of essential governmental programs. Therefore, an emergency is
3 hereby declared to exist and this Act being necessary for the immediate
4 preservation of the public peace, health and safety shall be in full force and
5 effect from and after the date of its passage and approval.

6 If the bill is neither approved nor vetoed by the Governor, it shall become
7 effective on the expiration of the period of time during which the Governor
8 may veto the bill. If the bill is vetoed by the Governor and the veto is
9 overridden, it shall become effective on the date the last house overrides the
10 veto.

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