

**Stricken language would be deleted from and underlined language would be added to the law as it existed
prior to this session of the General Assembly.
Act 406 of the Regular Session**

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

SENATE BILL 358

5 By: Senator Madison
6 By: Representatives Edwards, L. Smith
7

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
OF FINANCE AND ADMINISTRATION - DISBURSING
OFFICER FOR STATE ASSISTANCE TO THE CARL A.
TOTEMEIER HORTICULTURE CENTER FOR THE BOTANICAL
GARDEN OF THE OZARKS; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE
AND ADMINISTRATION - DISBURSING OFFICER
- STATE ASSISTANCE TO THE CARL A.
TOTEMEIER HORTICULTURE CENTER FOR THE
BOTANICAL GARDEN OF THE OZARKS GENERAL
IMPROVEMENT APPROPRIATION.

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

SECTION 1. APPROPRIATIONS - CARL A. TOTEMEIER HORTICULTURE CENTER. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) For state assistance to the Carl A. Totemeier Horticulture Center for the Botanical Garden of the Ozarks, the sum of\$500,000.

SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor



1 obligations otherwise incurred in relation to the project or projects
2 described herein in excess of the State Treasury funds actually available
3 therefor as provided by law. Provided, however, that institutions and
4 agencies listed herein shall have the authority to accept and use grants and
5 donations including Federal funds, and to use its unobligated cash income or
6 funds, or both available to it, for the purpose of supplementing the State
7 Treasury funds for financing the entire costs of the project or projects
8 enumerated herein. Provided further, that the appropriations and funds
9 otherwise provided by the General Assembly for Maintenance and General
10 Operations of the agency or institutions receiving appropriation herein shall
11 not be used for any of the purposes as appropriated in this act.

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

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19 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly
20 that any funds disbursed under the authority of the appropriations contained
21 in this act shall be in compliance with the stated reasons for which this act
22 was adopted, as evidenced by the Agency Requests, Executive Recommendations
23 and Legislative Recommendations contained in the budget manuals prepared by
24 the Department of Finance and Administration, letters, or summarized oral
25 testimony in the official minutes of the Arkansas Legislative Council or
26 Joint Budget Committee which relate to its passage and adoption.

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28 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
29 Assembly, that the Constitution of the State of Arkansas prohibits the
30 appropriation of funds for more than a two (2) year period; that the
31 effectiveness of this Act on July 1, 2005 is essential to the operation of
32 the agency for which the appropriations in this Act are provided, and that in
33 the event of an extension of the Regular Session, the delay in the effective
34 date of this Act beyond July 1, 2005 could work irreparable harm upon the
35 proper administration and provision of essential governmental programs.
36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and
2 safety shall be in full force and effect from and after July 1, 2005.

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5 **APPROVED: 2/24/2005**
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