

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 890 of the Regular Session

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

As Engrossed: H3/12/09

**A Bill**

HOUSE BILL 1727

5 By: Representatives Maloch, Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T.  
6 Bradford, Breedlove, J. Brown, M. Burris, J. Burris, Carnine, Carroll, Carter, Cash, Cheatham,  
7 Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson,  
8 Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green,  
9 Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde,  
10 Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, S. Malone, M. Martin, Maxwell,  
11 McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle,  
12 Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, T. Rogers, J. Rogers, Sample, Saunders, Shelby,  
13 Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Wills,  
14 Woods, Word  
15  
16

**For An Act To Be Entitled**

18 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
19 OF RURAL SERVICES FOR GRANTS FOR OPERATING,  
20 CONSTRUCTION, IMPROVEMENTS, EQUIPMENT,  
21 RENOVATION, AND MAINTENANCE EXPENSES; AND FOR  
22 OTHER PURPOSES.  
23  
24

**Subtitle**

25 AN ACT FOR THE DEPARTMENT OF RURAL  
26 SERVICES - GRANTS - GENERAL IMPROVEMENT  
27 APPROPRIATION.  
28  
29

31 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
32

33 SECTION 1. APPROPRIATION - PUBLIC BUILDINGS/FACILITIES. There is hereby  
34 appropriated, to the Department of Rural Services, to be payable from the  
35 General Improvement Fund or its successor fund or fund accounts, the



1 following:

2 (A) For grants to counties, municipalities, or subdivisions thereof, or  
3 other eligible entities for operating, construction, improvements, equipment,  
4 renovation, and maintenance expenses associated with public buildings,  
5 community centers, memorials, parks, amphitheaters, recreation centers, and  
6 cemeteries, the sum of .....\$10,000,000.

7  
8 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 Notwithstanding any other provision of law to the contrary regarding  
11 population requirements or any other provision of law concerning the  
12 Department of Rural Services contained in the Arkansas Rural Development  
13 Program Act, the appropriations authorized in this Act shall not be  
14 restricted by requirements that may be applicable to other programs currently  
15 administered. New rules and regulations may be adopted to carry out the  
16 intent of the General Assembly regarding the appropriations authorized in  
17 this Act.

18 No less than thirty (30) days prior to the distribution of any funds  
19 appropriated by this act, the director of the agency shall notify the Speaker  
20 of the House of Representatives of the name and address of each recipient and  
21 the amount that is being distributed to each recipient.

22  
23 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
24 obligations otherwise incurred in relation to the project or projects  
25 described herein in excess of the State Treasury funds actually available  
26 therefor as provided by law. Provided, however, that institutions and  
27 agencies listed herein shall have the authority to accept and use grants and  
28 donations including Federal funds, and to use its unobligated cash income or  
29 funds, or both available to it, for the purpose of supplementing the State  
30 Treasury funds for financing the entire costs of the project or projects  
31 enumerated herein. Provided further, that the appropriations and funds  
32 otherwise provided by the General Assembly for Maintenance and General  
33 Operations of the agency or institutions receiving appropriation herein shall  
34 not be used for any of the purposes as appropriated in this act.

35 (B) The restrictions of any applicable provisions of the State Purchasing  
36 Law, the General Accounting and Budgetary Procedures Law, the Revenue

1 Stabilization Law and any other applicable fiscal control laws of this State  
2 and regulations promulgated by the Department of Finance and Administration,  
3 as authorized by law, shall be strictly complied with in disbursement of any  
4 funds provided by this act unless specifically provided otherwise by law.

5  
6 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly  
7 that any funds disbursed under the authority of the appropriations contained  
8 in this act shall be in compliance with the stated reasons for which this act  
9 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
10 and Legislative Recommendations contained in the budget manuals prepared by  
11 the Department of Finance and Administration, letters, or summarized oral  
12 testimony in the official minutes of the Arkansas Legislative Council or  
13 Joint Budget Committee which relate to its passage and adoption.

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15 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
16 Assembly, that the Constitution of the State of Arkansas prohibits the  
17 appropriation of funds for more than a one (1) year period; that the  
18 effectiveness of this Act on July 1, 2009 is essential to the operation of  
19 the agency for which the appropriations in this Act are provided, and that in  
20 the event of an extension of the Regular Session, the delay in the effective  
21 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
22 proper administration and provision of essential governmental programs.  
23 Therefore, an emergency is hereby declared to exist and this Act being  
24 necessary for the immediate preservation of the public peace, health and  
25 safety shall be in full force and effect from and after July 1, 2009.

26  
27 /s/ Maloch

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29 **APPROVED: 4/6/2009**