

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 894 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 1731

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  
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**For An Act To Be Entitled**

18 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
19 OF ARKANSAS HERITAGE - HISTORIC PRESERVATION FOR  
20 OPERATING EXPENSES AND GRANTS; AND FOR OTHER  
21 PURPOSES.  
22  
23

**Subtitle**

25 AN ACT FOR THE DEPARTMENT OF ARKANSAS  
26 HERITAGE - HISTORIC PRESERVATION GENERAL  
27 IMPROVEMENT APPROPRIATION.  
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30 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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32 SECTION 1. APPROPRIATION - OPERATING EXPENSES AND GRANTS. There is hereby  
33 appropriated, to the Department of Arkansas Heritage - Historic Preservation,  
34 to be payable from the General Improvement Fund or its successor fund or fund  
35 accounts, the following:



1 (A) For operating expenses and grants associated with historic  
2 preservation projects, the sum of .....\$5,000,000.

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4 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The  
6 appropriations authorized in this Act shall not be restricted by requirements  
7 that may be applicable to other programs currently administered. New rules  
8 and regulations may be adopted to carry out the intent of the General  
9 Assembly regarding the appropriations authorized in this Act.

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

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

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

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34 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly  
35 that any funds disbursed under the authority of the appropriations contained  
36 in this act shall be in compliance with the stated reasons for which this act

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

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

18  
19 /s/ Maloch

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21 **APPROVED: 4/6/2009**  
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