

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 1429 of the Regular Session

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

As Engrossed: S4/3/09

A Bill

SENATE BILL 453

5 By: Senators Altes, Whitaker, Wilkinson  
6 By: Representatives Pennartz, Breedlove, Rice, Glidewell, S. Malone, R. Green, Pyle, Wells  
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9 For An Act To Be Entitled

10 AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY  
11 OF ARKANSAS - FORT SMITH FOR THE UPGRADE,  
12 RENOVATION AND EXPANSION OF THE BOREHAM LIBRARY  
13 FACILITY; AND FOR OTHER PURPOSES.  
14  
15

16 Subtitle

17 AN ACT FOR THE UNIVERSITY OF ARKANSAS -  
18 FORT SMITH - BOREHAM LIBRARY FACILITY  
19 UPGRADE, RENOVATION AND EXPANSION  
20 GENERAL IMPROVEMENT APPROPRIATION.  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. APPROPRIATION - U OF A FORT SMITH - BOREHAM LIBRARY. There is  
26 hereby appropriated, to the University of Arkansas - Fort Smith, to be  
27 payable from the General Improvement Fund or its successor fund or fund  
28 accounts, the following:

29 (A) For upgrade, renovation, *furnishing, equipment*, and expansion of the  
30 Boreham Library, the sum of  
31 .....\$9,500,000.  
32

33 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
34 obligations otherwise incurred in relation to the project or projects  
35 described herein in excess of the State Treasury funds actually available



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

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

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

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26 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
27 Assembly, that the Constitution of the State of Arkansas prohibits the  
28 appropriation of funds for more than a one (1) year period; that the  
29 effectiveness of this Act on July 1, 2009 is essential to the operation of  
30 the agency for which the appropriations in this Act are provided, and that in  
31 the event of an extension of the Regular Session, the delay in the effective  
32 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
33 proper administration and provision of essential governmental programs.  
34 Therefore, an emergency is hereby declared to exist and this Act being  
35 necessary for the immediate preservation of the public peace, health and  
36 safety shall be in full force and effect from and after July 1, 2009.

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*/s/ Altes*

**APPROVED: 4/9/2009**