

**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 848 of the Regular Session**

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

A Bill

HOUSE BILL 1621

5 By: Representatives Maxwell, Moore, Rainey, Reep, Cheatham
6 By: Senator J. Jeffress
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For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
OF PARKS AND TOURISM FOR REMOVAL, STORAGE AND
RESTORATION OF THE DELTA HERITAGE TRAIL RAILROAD
BEDS; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF PARKS AND
TOURISM - REMOVAL, STORAGE AND
RESTORATION OF DELTA HERITAGE TRAIL
RAILROAD BEDS GENERAL IMPROVEMENT
APPROPRIATION.

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

SECTION 1. APPROPRIATION – DELTA HERITAGE TRAIL RAILROAD BEDS. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) For removal and storage of rail parts including railroad ties from the Delta Heritage Trail rail bed and for cleanup, grading and restoration of an additional 42 miles of rail bed as part of the rails-to-trails conversion, the sum of\$2,000,000.

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 one (1) year period; that the
 31 effectiveness of this Act on July 1, 2009 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, 2009 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, 2009.

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5 **APPROVED: 4/6/2009**
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