

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.

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

For An Act To Be Entitled

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16
17 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
18 OF RURAL SERVICES FOR GRANTS FOR OPERATING,
19 CONSTRUCTION, IMPROVEMENTS, EQUIPMENT,
20 RENOVATION, AND MAINTENANCE EXPENSES; AND FOR
21 OTHER PURPOSES.
22

Subtitle

23
24 AN ACT FOR THE DEPARTMENT OF RURAL
25 SERVICES - GRANTS - GENERAL IMPROVEMENT
26 APPROPRIATION.
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31 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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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
36 following:



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

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

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

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

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

34 (B) The restrictions of any applicable provisions of the State Purchasing
 35 Law, the General Accounting and Budgetary Procedures Law, the Revenue
 36 Stabilization Law and any other applicable fiscal control laws of this State

1 and regulations promulgated by the Department of Finance and Administration,
2 as authorized by law, shall be strictly complied with in disbursement of any
3 funds provided by this act unless specifically provided otherwise by law.
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5 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
6 that any funds disbursed under the authority of the appropriations contained
7 in this act shall be in compliance with the stated reasons for which this act
8 was adopted, as evidenced by the Agency Requests, Executive Recommendations
9 and Legislative Recommendations contained in the budget manuals prepared by
10 the Department of Finance and Administration, letters, or summarized oral
11 testimony in the official minutes of the Arkansas Legislative Council or
12 Joint Budget Committee which relate to its passage and adoption.
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14 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
15 Assembly, that the Constitution of the State of Arkansas prohibits the
16 appropriation of funds for more than a one (1) year period; that the
17 effectiveness of this Act on July 1, 2009 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the Regular Session, the delay in the effective
20 date of this Act beyond July 1, 2009 could work irreparable harm upon the
21 proper administration and provision of essential governmental programs.
22 Therefore, an emergency is hereby declared to exist and this Act being
23 necessary for the immediate preservation of the public peace, health and
24 safety shall be in full force and effect from and after July 1, 2009.
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26 /s/ Maloch
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