

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: S3/21/11  
**A Bill**

SENATE BILL 455

5 By: Senator S. Flowers  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
9 OF ARKANSAS HERITAGE FOR GRANTS; AND FOR OTHER  
10 PURPOSES.  
11

12  
13 **Subtitle**

14 AN ACT FOR THE DEPARTMENT OF ARKANSAS  
15 HERITAGE - GRANTS GENERAL IMPROVEMENT  
16 APPROPRIATION.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. APPROPRIATION - GRANTS. There is hereby appropriated, to  
22 the Department of Arkansas Heritage, to be payable from the General  
23 Improvement Fund or its successor fund or fund accounts, the following:

24 *(A) for grants for professional fees, operating expenses, and costs*  
25 *associated with development, fabrication, and installation of historic*  
26 *markers for the Historic Marker Program focusing on African American*  
27 *Heritage, planning, development and construction of local exhibits and*  
28 *monuments centered on African American heritage, acquisition, archiving,*  
29 *restoring and organization of artwork and historical documents relating to*  
30 *African American History, planning, design, and publication of African*  
31 *American Heritage materials including but not limited to podcasts, DVDs, and*  
32 *websites and costs associated with the collection of oral histories, and the*  
33 *preservation and restoration of African American cemeteries across the state,*  
34 *in a sum not to exceed.....\$2,000,000.*  
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36 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
2 Notwithstanding any other rules, regulations or provision of law to the  
3 contrary the appropriations authorized in this Act shall not be restricted by  
4 requirements that may be applicable to other programs currently administered.  
5 New rules and regulations may be adopted to carry out the intent of the  
6 General Assembly regarding the appropriations authorized in this Act.

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

20 (B) The restrictions of any applicable provisions of the State  
21 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
22 Revenue Stabilization Law and any other applicable fiscal control laws of  
23 this State and regulations promulgated by the Department of Finance and  
24 Administration, as authorized by law, shall be strictly complied with in  
25 disbursement of any funds provided by this act unless specifically provided  
26 otherwise by law.

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28 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
29 Assembly that any funds disbursed under the authority of the appropriations  
30 contained in this act shall be in compliance with the stated reasons for  
31 which this act was adopted, as evidenced by the Agency Requests, Executive  
32 Recommendations and Legislative Recommendations contained in the budget  
33 manuals prepared by the Department of Finance and Administration, letters, or  
34 summarized oral testimony in the official minutes of the Arkansas Legislative  
35 Council or Joint Budget Committee which relate to its passage and adoption.

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1           SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
2 Assembly, that the Constitution of the State of Arkansas prohibits the  
3 appropriation of funds for more than a one (1) year period; that the  
4 effectiveness of this Act on July 1, 2011 is essential to the operation of  
5 the agency for which the appropriations in this Act are provided, and that in  
6 the event of an extension of the legislative session, the delay in the  
7 effective date of this Act beyond July 1, 2011 could work irreparable harm  
8 upon the proper administration and provision of essential governmental  
9 programs. Therefore, an emergency is hereby declared to exist and this Act  
10 being necessary for the immediate preservation of the public peace, health  
11 and safety shall be in full force and effect from and after July 1, 2011.

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13   */s/S. Flowers*  
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