

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 887 of the Regular Session

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

As Engrossed: H3/17/09

**A Bill**

HOUSE BILL 1723

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  
15  
16

**For An Act To Be Entitled**

17  
18 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
19 OF EDUCATION - ARKANSAS STATE LIBRARY FOR  
20 STATEWIDE GRANTS TO PUBLIC LIBRARIES; AND FOR  
21 OTHER PURPOSES.  
22  
23

**Subtitle**

24  
25 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
26 ARKANSAS STATE LIBRARY - STATEWIDE  
27 GRANTS - GENERAL IMPROVEMENT  
28 APPROPRIATION.  
29  
30

31 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
32

33 SECTION 1. APPROPRIATION - STATEWIDE GRANTS. There is hereby  
34 appropriated, to the Department of Education - Arkansas State Library, to be  
35 payable from the General Improvement Fund or its successor fund or fund



1 accounts, the following:

2 (A) For statewide grants to public libraries, the sum of ...\$1,000,000.

3

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 The grants to public libraries authorized by this act shall be  
15 distributed on a per capita basis and include public libraries that do not  
16 meet the guidelines for State Aid to Public Libraries.

17

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

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

36

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

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

21  
22 /s/ Maloch

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24 **APPROVED: 4/6/2009**