

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

# A Bill

HOUSE BILL 1645

5 By: Representatives Webb, Allen, D. Altes, Baird, T. Baker, Barnett, Bell, Benedict, Biviano, T.  
6 Bradford, Branscum, J. Brown, J. Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-  
7 Smith, L. Cowling, Dale, Deffenbaugh, J. Dickinson, J. Edwards, E. Elliott, English, Eubanks, Fielding,  
8 Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, D. Hutchinson,  
9 Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love,  
10 Lovell, S. Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Moore, Murdock,  
11 Nickels, B. Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, J. Roebuck, T.  
12 Rogers, Shepherd, Slinkard, G. Smith, Steel, T. Steele, Stewart, Stubblefield, Summers, T. Thompson,  
13 Tyler, Vines, Wagner, Walker, Wardlaw, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright  
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## For An Act To Be Entitled

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16 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
17 OF ARKANSAS HERITAGE - HISTORIC PRESERVATION FOR  
18 OPERATING EXPENSES AND GRANTS; AND FOR OTHER  
19 PURPOSES.  
20

## Subtitle

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23 AN ACT FOR THE DEPARTMENT OF ARKANSAS  
24 HERITAGE - HISTORIC PRESERVATION GENERAL  
25 IMPROVEMENT APPROPRIATION.  
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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30 SECTION 1. APPROPRIATION - OPERATING EXPENSES AND GRANTS. There is  
31 hereby appropriated, to the Department of Arkansas Heritage - Historic  
32 Preservation, to be payable from the General Improvement Fund or its  
33 successor fund or fund accounts, the following:

34 (A) for operating expenses and grants associated with historic  
35 preservation projects, in a sum not to exceed.....\$5,000,000.  
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1 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

3 Notwithstanding any other rules, regulations or provision of law to the  
4 contrary the appropriations authorized in this Act shall not be restricted by  
5 requirements that may be applicable to other programs currently administered.  
6 New rules and regulations may be adopted to carry out the intent of the  
7 General Assembly regarding the appropriations authorized in this Act.

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

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

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

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33 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
34 Assembly that any funds disbursed under the authority of the appropriations  
35 contained in this act shall be in compliance with the stated reasons for  
36 which this act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget  
 2 manuals prepared by the Department of Finance and Administration, letters, or  
 3 summarized oral testimony in the official minutes of the Arkansas Legislative  
 4 Council or Joint Budget Committee which relate to its passage and adoption.

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

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