

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 883 of the Regular Session

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

As Engrossed: H3/12/09

A Bill

HOUSE BILL 1719

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

18 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
19 OF FINANCE AND ADMINISTRATION - DISBURSING
20 OFFICER FOR SUPPLEMENTING THE DISTRIBUTION OF
21 FUNDS TO CITIES AND COUNTIES THROUGHOUT ARKANSAS;
22 AND FOR OTHER PURPOSES.
23
24

Subtitle

26 AN ACT FOR THE DEPARTMENT OF FINANCE
27 AND ADMINISTRATION - DISBURSING OFFICER
28 - CITIES AND COUNTIES GENERAL
29 IMPROVEMENT APPROPRIATION.
30
31

32 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
33

34 SECTION 1. APPROPRIATION - SUPPLEMENTAL COUNTY AND MUNICIPAL AID. There
35 is hereby appropriated, to the Department of Finance and Administration -



1 Disbursing Officer, to be payable from the General Improvement Fund or its
2 successor fund or fund accounts, the following:

3 (A) For supplementing the distribution of funds apportioned to each city
4 or incorporated town in the same proportion as authorized in Arkansas Code
5 19-5-601, the sum of\$3,000,000.

6 (B) For supplementing the funds made available to each of the seventy-five
7 counties by the same distribution as authorized in Arkansas Code 19-5-
8 602(c)(1)(A), the sum of\$3,000,000.

9
10 *SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
11 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. No less*
12 *than thirty (30) days prior to the distribution of any funds appropriated by*
13 *this act, the director of the agency shall notify the Speaker of the House of*
14 *Representatives of the name and address of each recipient and the amount that*
15 *is being distributed to each recipient.*

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

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

35
36 *SECTION 4. LEGISLATIVE INTENT.* It is the intent of the General Assembly

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

8
9 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly, that the Constitution of the State of Arkansas prohibits the
11 appropriation of funds for more than a one (1) year period; that the
12 effectiveness of this Act on July 1, 2009 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the Regular Session, the delay in the effective
15 date of this Act beyond July 1, 2009 could work irreparable harm upon the
16 proper administration and provision of essential governmental programs.
17 Therefore, an emergency is hereby declared to exist and this Act being
18 necessary for the immediate preservation of the public peace, health and
19 safety shall be in full force and effect from and after July 1, 2009.

20
21 /s/ Maloch

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23 **APPROVED: 4/6/2009**