

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 1776

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

15
16
17
18 AN ACT TO MAKE AN APPROPRIATION TO THE ECONOMIC
19 DEVELOPMENT COMMISSION FOR GENERAL IMPROVEMENT
20 PROJECTS; AND FOR OTHER PURPOSES.

Subtitle

21
22
23
24 AN ACT FOR THE ECONOMIC DEVELOPMENT
25 COMMISSION GENERAL IMPROVEMENT
26 APPROPRIATION.

27
28
29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

30
31 SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT PROJECTS. There is hereby
32 appropriated, to the Economic Development Commission, to be payable from the
33 General Improvement Fund or its successor fund or fund accounts, the
34 following:

35 (A) For grants to cities, counties, planning and development districts,
36 and other eligible entities for land acquisition, improvements, construction,



1 renovation, major maintenance, and purchase of equipment, industrial site
 2 development costs including, construction, renovation, and equipment
 3 acquisition, development of intermodal facilities, including port and
 4 waterway projects, rail spur construction and road and highway improvements,
 5 environmental mitigation projects, and construction and improvement of water
 6 and sewer systems, the sum of\$2,000,000.

7
 8 SECTION 2. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 9 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The appropriations
 10 authorized in this Act shall not be restricted by requirements that may be
 11 applicable to other programs currently administered. New rules and
 12 regulations may be adopted to carry out the intent of the General Assembly
 13 regarding the appropriations authorized in this Act.

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

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

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

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

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

22
23 /s/ Maloch
24
25
26
27
28
29
30
31
32
33
34
35
36