

**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 103 of the Regular Session**

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

A Bill

HOUSE BILL 1295

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
FINANCE AND ADMINISTRATION - DISBURSING OFFICER;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE
AND ADMINISTRATION - DISBURSING OFFICER
REAPPROPRIATION.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REAPPROPRIATION - LEGISLATIVE BALANCES GENERAL IMPROVEMENT -
24 84TH SESSION. There is hereby appropriated, to the Department of Finance and
25 Administration - Disbursing Officer, to be payable from the General
26 Improvement Fund or its successor fund or fund accounts, for the Department
27 of Finance and Administration - Disbursing Officer, the following:

28 (A) Effective July 1, 2009, the balance of the appropriation provided in
29 Item (A) of Section 14 of Act 1290 of 2007, for disbursing the balance of
30 funds which were made available by law to the projects in Section 3(b) of the
31 General Improvement Distribution Act of 2003, in a sum not to exceed
32\$603,765.
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34 SECTION 2. REAPPROPRIATION - LEGISLATIVE BALANCES GENERAL IMPROVEMENT -
35 85TH SESSION. There is hereby appropriated, to the Department of Finance and



1 Administration - Disbursing Officer, to be payable from the General
2 Improvement Fund or its successor fund or fund accounts, for the Department
3 of Finance and Administration - Disbursing Officer, the following:

4 (A) Effective July 1, 2009, the balance of the appropriation provided in
5 Item (A) of Section 15 of Act 1290 of 2007, for disbursing the balance of
6 funds which were made available by law to the projects in Section 3(b) of the
7 General Improvement Distribution Act of 2005, in a sum not to exceed
8\$627,326.

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10 SECTION 3. REAPPROPRIATION - TARP GRANT PROGRAM. There is hereby
11 appropriated, to the Department of Finance and Administration - Disbursing
12 Officer, to be payable from the General Improvement Fund or its successor
13 fund or fund accounts, for the Department of Finance and Administration -
14 Disbursing Officer, the following:

15 (A) Effective July 1, 2009, the balance of the appropriation provided in
16 Item (A) of Section 1 of Act 1574 of 2007, for administering a grant program
17 with the sole purpose of dispersing ten thousand dollars (\$10,000) in equal
18 amounts to each of the Arkansas' 75 counties to purchase tarps to cover
19 county owned trucks, in a sum not to exceed\$125,000.

20 (B) Effective July 1, 2009, the balance of the appropriation provided in
21 Item (B) of Section 1 of Act 1574 of 2007, for the costs of a feasibility
22 study of methods of processing waste tires to produce marketable products, in
23 a sum not to exceed\$125,000.

24
25 SECTION 4. REAPPROPRIATION - GRANTS TO FIRE DEPARTMENTS. There is hereby
26 appropriated, to the Department of Finance and Administration - Disbursing
27 Officer, to be payable from the General Improvement Fund or its successor
28 fund or fund accounts, for the Department of Finance and Administration -
29 Disbursing Officer, the following:

30 (A) Effective July 1, 2009, the balance of the appropriation provided in
31 Item (A) of Section 1 of Act 1314 of 2007, for grants to fire departments, in
32 a sum not to exceed\$146,629.

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34 SECTION 5. REAPPROPRIATION - STATE MOTOR VEHICLE ACQUISITION. There is
35 hereby appropriated, to the Department of Finance and Administration -
36 Disbursing Officer, to be payable from the General Improvement Fund or its

1 successor fund or fund accounts, for the Department of Finance and
2 Administration - Disbursing Officer, the following:

3 (A) Effective July 1, 2009, the balance of the appropriation provided in
4 Item (A) of Section 1 of Act 1499 of 2007, for one-time replacement, over a
5 two-year period, of state vehicles, in a sum not to exceed\$7,492,728.
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7 SECTION 6. REAPPROPRIATION - MAJOR MAINTENANCE. There is hereby
8 appropriated, to the Department of Finance and Administration - Disbursing
9 Officer, to be payable from the General Improvement Fund or its successor
10 fund or fund accounts, for the Department of Finance and Administration -
11 Disbursing Officer, the following:

12 (A) Effective July 1, 2009, the balance of the appropriation provided in
13 Item (A) of Section 2 of Act 1499 of 2007, for providing contingency
14 appropriation for capital projects, in a sum not to exceed\$500,000.
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16 SECTION 7. REAPPROPRIATION - SUPPLEMENTAL COUNTY AND MUNICIPAL AID. There
17 is hereby appropriated, to the Department of Finance and Administration -
18 Disbursing Officer, to be payable from the General Improvement Fund or its
19 successor fund or fund accounts, for the Department of Finance and
20 Administration - Disbursing Officer, the following:

21 (A) Effective July 1, 2009, the balance of the appropriation provided in
22 Item (A) of Section 1 of Act 1093 of 2007, for supplementing the distribution
23 of funds apportioned to each city or incorporated town in the same proportion
24 as authorized in Arkansas Code 19-5-601, in a sum not to exceed
25\$15,000,000.

26 (B) Effective July 1, 2009, the balance of the appropriation provided in
27 Item (B) of Section 1 of Act 1093 of 2007, for supplementing the funds made
28 available to each of the seventy-five counties by the same distribution as
29 authorized in Arkansas Code 19-5-602(c)(1)(A), in a sum not to exceed
30\$15,000,000.
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32 SECTION 8. REAPPROPRIATION - MULTIPURPOSE CIVIC CENTER IMPROVEMENTS. There
33 is hereby appropriated, to the Department of Finance and Administration -
34 Disbursing Officer, to be payable from the General Improvement Fund or its
35 successor fund or fund accounts, for the Department of Finance and
36 Administration - Disbursing Officer, the following:

1 (A) Effective July 1, 2009, the balance of the appropriation provided in
2 Item (A) of Section 1 of Act 1179 of 2007, for improvements to the Alltel
3 Arena, a multipurpose civic center that provides programming to enhance the
4 economic condition of the state, in a sum not to exceed\$1,317,500.
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6 SECTION 9. REAPPROPRIATION - TASKFORCE FOR THE 21ST CENTURY ECONOMY. There
7 is hereby appropriated, to the Department of Finance and Administration -
8 Disbursing Officer, to be payable from the General Improvement Fund or its
9 successor fund or fund accounts, for the Department of Finance and
10 Administration - Disbursing Officer, the following:

11 (A) Effective July 1, 2009, the balance of the appropriation provided in
12 Section 1 of Act 1267 of 2007, for consulting contract, meeting expenses,
13 reimbursements and related expenses for the Taskforce for the 21st Century
14 Economy, in a sum not to exceed\$145,253.
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16 SECTION 10. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
17 obligations otherwise incurred in relation to the project or projects
18 described herein in excess of the State Treasury funds actually available
19 therefor as provided by law. Provided, however, that institutions and
20 agencies listed herein shall have the authority to accept and use grants and
21 donations including Federal funds, and to use its unobligated cash income or
22 funds, or both available to it, for the purpose of supplementing the State
23 Treasury funds for financing the entire costs of the project or projects
24 enumerated herein. Provided further, that the appropriations and funds
25 otherwise provided by the General Assembly for Maintenance and General
26 Operations of the agency or institutions receiving appropriation herein shall
27 not be used for any of the purposes as appropriated in this act.

28 (B) The restrictions of any applicable provisions of the State Purchasing
29 Law, the General Accounting and Budgetary Procedures Law, the Revenue
30 Stabilization Law and any other applicable fiscal control laws of this State
31 and regulations promulgated by the Department of Finance and Administration,
32 as authorized by law, shall be strictly complied with in disbursement of any
33 funds provided by this act unless specifically provided otherwise by law.
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35 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly
36 that any funds disbursed under the authority of the appropriations contained

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

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

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20 **APPROVED: 2/12/2009**