

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 1361 of the Regular Session

As Engrossed: S3/9/09

A Bill

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

SENATE BILL 723

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5 By: Senator Crumbly
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8 **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
10 NATURAL RESOURCES COMMISSION FOR COMMUNITY
11 GRANTS; AND FOR OTHER PURPOSES.
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14 **Subtitle**

15 AN ACT FOR THE ARKANSAS NATURAL
16 RESOURCES COMMISSION - COMMUNITY GRANTS
17 GENERAL IMPROVEMENT APPROPRIATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT PROJECTS. There is hereby
23 appropriated, to the Arkansas Natural Resources Commission, to be payable
24 from the General Improvement Fund or its successor fund or fund accounts, the
25 following:

26 (A) For grants to cities, counties, planning and development districts,
27 and other eligible entities for land acquisition, improvements, construction,
28 renovation, major maintenance, and purchase of equipment, industrial site
29 development costs including, construction, renovation, and equipment
30 acquisition, development of intermodal facilities, including port and
31 waterway projects, rail spur construction and road and highway improvements,
32 environmental mitigation projects, and construction and improvement of water
33 and sewer systems, the sum of\$100,000.

34 (B) For matching grants to cities, counties, planning and development
35 districts, enterprise communities, and other eligible entities for land



1 *acquisition, improvements, construction, renovation, major maintenance, and*
 2 *purchase of equipment, industrial site development costs including,*
 3 *construction, renovation, and equipment acquisition, development of*
 4 *intermodal facilities, including port and waterway projects, rail spur*
 5 *construction and street, road and highway improvements, environmental*
 6 *mitigation projects, and construction and improvement of drainage, water and*
 7 *sewer systems, the sum of.....\$225,000.*

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

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 16 SECTION 3. 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 4. 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 5. 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 /s/ Crumbly

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22 **APPROVED: 4/9/2009**