

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 1363 of the Regular Session**

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

*As Engrossed: S3/17/09*

**A Bill**

SENATE BILL 747

5 By: Senator Broadway  
6 By: Representative Webb  
7  
8

**For An Act To Be Entitled**

10 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS  
11 BUILDING AUTHORITY FOR THE SUSTAINABLE BUILDING  
12 DESIGN PROGRAM; AND FOR OTHER PURPOSES.  
13  
14

**Subtitle**

15 AN ACT FOR THE ARKANSAS BUILDING  
16 AUTHORITY - THE SUSTAINABLE BUILDING  
17 DESIGN PROGRAM GENERAL IMPROVEMENT  
18 APPROPRIATION.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. APPROPRIATION - THE SUSTAINABLE BUILDING DESIGN PROGRAM. There  
25 is hereby appropriated, to the Arkansas Building Authority, to be payable  
26 from the General Improvement Fund or its successor fund or fund accounts, for  
27 a transfer to the Sustainable Building Design Revolving Loan Fund to provide  
28 loans to agencies, boards or commissions for the Sustainable Building Design  
29 Program for the fiscal year ending June 30, 2010, the sum of ....\$20,000,000.  
30

31 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
32 obligations otherwise incurred in relation to the project or projects  
33 described herein in excess of the State Treasury funds actually available  
34 therefor as provided by law. Provided, however, that institutions and  
35 agencies listed herein shall have the authority to accept and use grants and



1 donations including Federal funds, and to use its unobligated cash income or  
2 funds, or both available to it, for the purpose of supplementing the State  
3 Treasury funds for financing the entire costs of the project or projects  
4 enumerated herein. Provided further, that the appropriations and funds  
5 otherwise provided by the General Assembly for Maintenance and General  
6 Operations of the agency or institutions receiving appropriation herein shall  
7 not be used for any of the purposes as appropriated in this act.

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

14  
15 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly  
16 that any funds disbursed under the authority of the appropriations contained  
17 in this act shall be in compliance with the stated reasons for which this act  
18 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
19 and Legislative Recommendations contained in the budget manuals prepared by  
20 the Department of Finance and Administration, letters, or summarized oral  
21 testimony in the official minutes of the Arkansas Legislative Council or  
22 Joint Budget Committee which relate to its passage and adoption.

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24 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
25 Assembly, that the Constitution of the State of Arkansas prohibits the  
26 appropriation of funds for more than a one (1) year period; that the  
27 effectiveness of this Act on July 1, 2009 is essential to the operation of  
28 the agency for which the appropriations in this Act are provided, and that in  
29 the event of an extension of the Regular Session, the delay in the effective  
30 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
31 proper administration and provision of essential governmental programs.  
32 Therefore, an emergency is hereby declared to exist and this Act being  
33 necessary for the immediate preservation of the public peace, health and  
34 safety shall be in full force and effect from and after July 1, 2009.

35  
36 /s/ Broadway

APPROVED: 4/9/2009