

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 1725

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 PLANNING AND DEVELOPMENT GRANTS FOR
21 THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR
22 OTHER PURPOSES.
23
24

Subtitle

26 AN ACT FOR THE DEPARTMENT OF FINANCE AND
27 ADMINISTRATION - DISBURSING OFFICER -
28 PLANNING AND DEVELOPMENT GRANTS
29 APPROPRIATION FOR THE 2009-2010 FISCAL
30 YEAR.
31
32

33 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
34

35 SECTION 1. APPROPRIATION - PLANNING AND DEVELOPMENT GRANTS. There is
36 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 Planning and Development Grants, the sum of\$5,000,000.
4

5 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PLANNING
7 AND DEVELOPMENT GRANTS. The appropriations and funds authorizing Planning and
8 Development Grants by this Act shall be made available for the same purposes
9 and to the same entities as authorized and recognized by the General Assembly
10 in Arkansas Code 14-166-202 through 14-166-205, with the exception that any
11 requirements for matching funds authorized in Arkansas Code 14-166-202
12 through 14-166-205, or any other law to the contrary requiring matching
13 funds, shall not apply to the Planning and Development District Grants
14 authorized by this Act.
15

16 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PLANNING
18 AND DEVELOPMENT DISTRICTS. Any funding provided by the planning and
19 development grants appropriated in this Act for the Arkansas Planning and
20 Development Districts shall be distributed equally between the eight (8)
21 Arkansas Planning and Development Districts.

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

26 Each Arkansas Planning and Development Districts receiving planning and
27 development grants authorized by this act shall take into consideration
28 geography, population and city or county boundary's when promulgating rules
29 and regulations for the disbursement of such funds.
30

31 SECTION 4. 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
36 donations including Federal funds, and to use its unobligated cash income or

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

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

13
14 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
15 that any funds disbursed under the authority of the appropriations contained
16 in this act shall be in compliance with the stated reasons for which this act
17 was adopted, as evidenced by the Agency Requests, Executive Recommendations
18 and Legislative Recommendations contained in the budget manuals prepared by
19 the Department of Finance and Administration, letters, or summarized oral
20 testimony in the official minutes of the Arkansas Legislative Council or
21 Joint Budget Committee which relate to its passage and adoption.

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23 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
24 Assembly, that the Constitution of the State of Arkansas prohibits the
25 appropriation of funds for more than a one (1) year period; that the
26 effectiveness of this Act on July 1, 2009 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the Regular Session, the delay in the effective
29 date of this Act beyond July 1, 2009 could work irreparable harm upon the
30 proper administration and provision of essential governmental programs.
31 Therefore, an emergency is hereby declared to exist and this Act being
32 necessary for the immediate preservation of the public peace, health and
33 safety shall be in full force and effect from and after July 1, 2009.

34
35 /s/ Maloch
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