

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 1728

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
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16

For An Act To Be Entitled

18 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
19 WATERWAYS COMMISSION FOR GENERAL IMPROVEMENT
20 PROJECTS; AND FOR OTHER PURPOSES.
21
22

Subtitle

24 AN ACT FOR THE ARKANSAS WATERWAYS
25 COMMISSION GENERAL IMPROVEMENT
26 APPROPRIATION.
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28

29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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31 SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT. There is hereby
32 appropriated, to the Arkansas Waterways Commission, to be payable from the
33 General Improvement Fund or its successor fund or fund accounts, the
34 following:

35 (A) For maintenance and general operations, personal services,
36 construction, and development of intermodal ports, the sum of ..\$1,000,000.



1 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. No less
3 than thirty (30) days prior to the distribution of any funds appropriated by
4 this act, the director of the agency shall notify the Speaker of the House of
5 Representatives of the name and address of each recipient and the amount that
6 is being distributed to each recipient.

7
8 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
9 obligations otherwise incurred in relation to the project or projects
10 described herein in excess of the State Treasury funds actually available
11 therefor as provided by law. Provided, however, that institutions and
12 agencies listed herein shall have the authority to accept and use grants and
13 donations including Federal funds, and to use its unobligated cash income or
14 funds, or both available to it, for the purpose of supplementing the State
15 Treasury funds for financing the entire costs of the project or projects
16 enumerated herein. Provided further, that the appropriations and funds
17 otherwise provided by the General Assembly for Maintenance and General
18 Operations of the agency or institutions receiving appropriation herein shall
19 not be used for any of the purposes as appropriated in this act.

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

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

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36 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the
2 appropriation of funds for more than a one (1) year period; that the
3 effectiveness of this Act on July 1, 2009 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the Regular Session, the delay in the effective
6 date of this Act beyond July 1, 2009 could work irreparable harm upon the
7 proper administration and provision of essential governmental programs.
8 Therefore, an emergency is hereby declared to exist and this Act being
9 necessary for the immediate preservation of the public peace, health and
10 safety shall be in full force and effect from and after July 1, 2009.

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12 */s/ Maloch*
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