

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 1297 of the Regular Session**

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

*As Engrossed: H3/12/09 S4/3/09*

**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**

17  
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**

25  
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.  
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33 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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35 SECTION 1. APPROPRIATION - PLANNING AND DEVELOPMENT GRANTS. There is



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

4 (A) For Planning and Development Grants, the sum of .....\$5,000,000.

5  
6 *SECTION 2. APPROPRIATION. GENERAL IMPROVEMENT PLANNING AND DEVELOPMENT*  
7 *GRANTS. There is hereby appropriated to the Department of Finance and*  
8 *Administration - Disbursing Officer, to be payable from the General*  
9 *Improvement Fund or its successor fund or fund accounts, for grants to*  
10 *planning and development districts the following:*

11 (A) For the Northwest Arkansas Economic Development District, Inc., the  
12 sum of ..... \$2,000,000.

13 (B) For the North Central Arkansas Economic Development District, Inc.,  
14 the sum of..... \$2,000,000.

15 (C) For the Northeast Arkansas Economic Development District, Inc., the  
16 sum of..... \$2,000,000.

17 (D) For the Southeast Arkansas Economic Development District, Inc., the  
18 sum of..... \$2,000,000.

19 (E) For the Southwest Economic Development District of Arkansas, Inc., the  
20 sum of..... \$2,000,000.

21 (F) For the Western Arkansas Economic Development District, Inc., the sum  
22 of..... \$2,000,000.

23 (G) For the West Central Arkansas Economic Development District, Inc., the  
24 sum of..... \$2,000,000.

25 (H) For the Central Arkansas Economic Development District, Inc., the sum  
26 of..... \$2,000,000.

27  
28 **SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS**  
29 **CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PLANNING**  
30 **AND DEVELOPMENT GRANTS. The appropriations and funds authorizing Planning and**  
31 **Development Grants by this Act shall be made available for the same purposes**  
32 **and to the same entities as authorized and recognized by the General Assembly**  
33 **in Arkansas Code 14-166-202 through 14-166-205, with the exception that any**  
34 **requirements for matching funds authorized in Arkansas Code 14-166-202**  
35 **through 14-166-205, or any other law to the contrary requiring matching**  
36 **funds, shall not apply to the Planning and Development District Grants**

1 authorized by this Act.

2  
3 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PLANNING  
5 AND DEVELOPMENT DISTRICTS. Any funding provided by the planning and  
6 development grants appropriated in Section 1 of this Act for the Arkansas  
7 Planning and Development Districts shall be distributed equally between the  
8 eight (8) Arkansas Planning and Development Districts.

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

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

17  
18 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
19 obligations otherwise incurred in relation to the project or projects  
20 described herein in excess of the State Treasury funds actually available  
21 therefor as provided by law. Provided, however, that institutions and  
22 agencies listed herein shall have the authority to accept and use grants and  
23 donations including Federal funds, and to use its unobligated cash income or  
24 funds, or both available to it, for the purpose of supplementing the State  
25 Treasury funds for financing the entire costs of the project or projects  
26 enumerated herein. Provided further, that the appropriations and funds  
27 otherwise provided by the General Assembly for Maintenance and General  
28 Operations of the agency or institutions receiving appropriation herein shall  
29 not be used for any of the purposes as appropriated in this act.

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

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1 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
2 that any funds disbursed under the authority of the appropriations contained  
3 in this act shall be in compliance with the stated reasons for which this act  
4 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
5 and Legislative Recommendations contained in the budget manuals prepared by  
6 the Department of Finance and Administration, letters, or summarized oral  
7 testimony in the official minutes of the Arkansas Legislative Council or  
8 Joint Budget Committee which relate to its passage and adoption.

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10 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
11 Assembly, that the Constitution of the State of Arkansas prohibits the  
12 appropriation of funds for more than a one (1) year period; that the  
13 effectiveness of this Act on July 1, 2009 is essential to the operation of  
14 the agency for which the appropriations in this Act are provided, and that in  
15 the event of an extension of the Regular Session, the delay in the effective  
16 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
17 proper administration and provision of essential governmental programs.  
18 Therefore, an emergency is hereby declared to exist and this Act being  
19 necessary for the immediate preservation of the public peace, health and  
20 safety shall be in full force and effect from and after July 1, 2009.

21  
22 /s/ Maloch

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24 APPROVED: 4/9/2009  
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