

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 915 of the Regular Session

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

As Engrossed: H3/12/09

**A Bill**

HOUSE BILL 1776

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 ECONOMIC  
19 DEVELOPMENT COMMISSION FOR GENERAL IMPROVEMENT  
20 PROJECTS; AND FOR OTHER PURPOSES.  
21  
22

**Subtitle**

24 AN ACT FOR THE ECONOMIC DEVELOPMENT  
25 COMMISSION GENERAL IMPROVEMENT  
26 APPROPRIATION.  
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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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31 SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT PROJECTS. There is hereby  
32 appropriated, to the Economic Development Commission, to be payable from the  
33 General Improvement Fund or its successor fund or fund accounts, the  
34 following:

35 (A) For grants to cities, counties, planning and development districts,



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

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

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

19  
20 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
21 obligations otherwise incurred in relation to the project or projects  
22 described herein in excess of the State Treasury funds actually available  
23 therefor as provided by law. Provided, however, that institutions and  
24 agencies listed herein shall have the authority to accept and use grants and  
25 donations including Federal funds, and to use its unobligated cash income or  
26 funds, or both available to it, for the purpose of supplementing the State  
27 Treasury funds for financing the entire costs of the project or projects  
28 enumerated herein. Provided further, that the appropriations and funds  
29 otherwise provided by the General Assembly for Maintenance and General  
30 Operations of the agency or institutions receiving appropriation herein shall  
31 not be used for any of the purposes as appropriated in this act.

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

1 funds provided by this act unless specifically provided otherwise by law.

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

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12 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
13 Assembly, that the Constitution of the State of Arkansas prohibits the  
14 appropriation of funds for more than a one (1) year period; that the  
15 effectiveness of this Act on July 1, 2009 is essential to the operation of  
16 the agency for which the appropriations in this Act are provided, and that in  
17 the event of an extension of the Regular Session, the delay in the effective  
18 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
19 proper administration and provision of essential governmental programs.  
20 Therefore, an emergency is hereby declared to exist and this Act being  
21 necessary for the immediate preservation of the public peace, health and  
22 safety shall be in full force and effect from and after July 1, 2009.

23  
24 /s/ Maloch

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26 **APPROVED: 4/6/2009**