

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1618

4
5 By: Representative Webb
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE STATE
10 ATHLETIC COMMISSION FOR STATEWIDE SUPPORT FOR
11 YOUNG MEN'S CHRISTIAN ASSOCIATIONS; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15
16 AN ACT FOR THE STATE ATHLETIC COMMISSION -
17 YMCA STATEWIDE SUPPORT GENERAL IMPROVEMENT
18 APPROPRIATION.
19
20

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

23 SECTION 1. APPROPRIATION - YMCA STATEWIDE SUPPORT. There is hereby
24 appropriated, to the State Athletic Commission, to be payable from the
25 General Improvement Fund or its successor fund or fund accounts, for grants
26 for personal services, operating expenses, maintenance, equipment, supplies,
27 renovation and construction for Young Men's Christian Associations in
28 Arkansas for the fiscal year ending June 30, 2012, the sum of.....\$200,000.
29

30 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
32 TRANSFER. Immediately upon the effective date of this Act, the Chief Fiscal
33 Officer shall transfer on his books and those of the State Treasurer and the
34 Auditor of the State, the sum of two hundred thousand dollars (\$200,000) from
35 the 87th Session Projects Account of the General Improvement Fund, from those
36 monies authorized to Department of Finance and Administration - Disbursing



1 Officer for the purpose of a grant to the Department of Human Services -
2 Division of Behavioral Health for construction, equipping, renovation,
3 improvements, upgrading, repair, and personal, operating and programmatic
4 expenses and materials for psychiatric residential treatments centers across
5 the state, to the 88th Session Projects Account of the General Improvement
6 Fund to be used solely for the purpose of financing the appropriation
7 authorized in Section 1 of this Act.

8
9 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
11 DISTRIBUTION. Any funds made available for the appropriation authorized in
12 Section 1 of this Act shall be distributed equally to YMCA's in Arkansas as
13 determined by the State Athletic Commission.

14 Notwithstanding any other rules, regulations or provision of law to the
15 contrary the appropriations authorized in this Act shall not be restricted by
16 requirements that may be applicable to other programs currently administered.
17 New rules and regulations may be adopted to carry out the intent of the
18 General Assembly regarding the appropriations authorized in this Act.

19
20 SECTION 4. 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
33 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
34 Revenue Stabilization Law and any other applicable fiscal control laws of
35 this State and regulations promulgated by the Department of Finance and
36 Administration, as authorized by law, shall be strictly complied with in

1 disbursement of any funds provided by this act unless specifically provided
2 otherwise by law.

3
4 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
5 authorized by this act shall be limited to the appropriation for such agency
6 and funds made available by law for the support of such appropriations; and
7 the restrictions of the State Procurement Law, the General Accounting and
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
9 Procedures and Restrictions Act, or their successors, and other fiscal
10 control laws of this State, where applicable, and regulations promulgated by
11 the Department of Finance and Administration, as authorized by law, shall be
12 strictly complied with in disbursement of said funds.

13
14 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
15 Assembly that any funds disbursed under the authority of the appropriations
16 contained in this act shall be in compliance with the stated reasons for
17 which this act was adopted, as evidenced by the Agency Requests, Executive
18 Recommendations and Legislative Recommendations contained in the budget
19 manuals prepared by the Department of Finance and Administration, letters, or
20 summarized oral testimony in the official minutes of the Arkansas Legislative
21 Council or Joint Budget Committee which relate to its passage and adoption.

22
23 SECTION 7. 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, 2011 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 legislative session, the delay in the
29 effective date of this Act beyond July 1, 2011 could work irreparable harm
30 upon the proper administration and provision of essential governmental
31 programs. Therefore, an emergency is hereby declared to exist and this Act
32 being necessary for the immediate preservation of the public peace, health
33 and safety shall be in full force and effect from and after July 1, 2011.