

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1642

5 By: Representatives Webb, Allen, D. Altes, Baird, T. Baker, Barnett, Bell, Benedict, Biviano, T.
6 Bradford, Branscum, J. Brown, J. Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-
7 Smith, L. Cowling, Dale, Deffenbaugh, J. Dickinson, J. Edwards, E. Elliott, English, Eubanks, Fielding,
8 Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, D. Hutchinson,
9 Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love,
10 Lovell, S. Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Moore, Murdock,
11 Nickels, B. Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, J. Roebuck, T.
12 Rogers, Shepherd, Slinkard, G. Smith, Steel, T. Steele, Stewart, Stubblefield, Summers, T. Thompson,
13 Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word,
14 Wren, Wright
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For An Act To Be Entitled

16 AN ACT TO MAKE AN APPROPRIATION TO THE ECONOMIC
17 DEVELOPMENT COMMISSION FOR GENERAL IMPROVEMENT
18 PROJECTS; AND FOR OTHER PURPOSES.
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Subtitle

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

34 (A) for grants to cities, counties, planning and development districts,
35 and other eligible entities for land acquisition, improvements, construction,
36 renovation, major maintenance, and purchase of equipment, industrial site



1 development costs including, construction, renovation, and equipment
2 acquisition, development of intermodal facilities, including port and
3 waterway projects, rail spur construction and road and highway improvements,
4 environmental mitigation projects, and construction and improvement of water
5 and sewer systems, in a sum not to exceed.....\$2,000,000.
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7 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

1 otherwise by law.

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 3 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
 4 Assembly that any funds disbursed under the authority of the appropriations
 5 contained in this act shall be in compliance with the stated reasons for
 6 which this act was adopted, as evidenced by the Agency Requests, Executive
 7 Recommendations and Legislative Recommendations contained in the budget
 8 manuals prepared by the Department of Finance and Administration, letters, or
 9 summarized oral testimony in the official minutes of the Arkansas Legislative
 10 Council or 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, 2011 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 legislative session, the delay in the
 18 effective date of this Act beyond July 1, 2011 could work irreparable harm
 19 upon the proper administration and provision of essential governmental
 20 programs. Therefore, an emergency is hereby declared to exist and this Act
 21 being necessary for the immediate preservation of the public peace, health
 22 and safety shall be in full force and effect from and after July 1, 2011.