

**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 108 of the Regular Session**

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 1277

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
RURAL SERVICES; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF RURAL
SERVICES REAPPROPRIATION.

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT FUND. There is hereby
22 appropriated, to the Department of Rural Services, to be payable from the
23 General Improvement Fund or its successor fund or fund accounts, for the
24 Department of Rural Services, the following:

25 (A) Effective July 1, 2005, the balance of the appropriation provided in
26 Item (A) of Section 1 of Act 54 of 2003, for matching grants to county fairs
27 for construction of new or replacement buildings, in a sum not to exceed
28\$1,474.
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30 (B) Effective July 1, 2005, the balance of the appropriation provided in
31 Item (A) of Section 1 of Act 786 of 2003, for grants to rural communities, in
32 a sum not to exceed\$500,000.
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34 SECTION 2. REAPPROPRIATION - TRUST FUNDS. There is hereby appropriated, to
35 the Department of Rural Services, to be payable from the Delta and Rural



1 Development Trust Fund, for the Department of Rural Services, the following:

2 (A) Effective July 1, 2005, the balance of the appropriation provided in
3 Item (A) of Section 2 of Act 54 of 2003, for the Delta/Rural Development
4 Project based upon criteria established by the Rural Development Commission,
5 the highest priority being given to counties with the highest percentage of
6 TEA recipients and counties with a high percentage of poverty, in a sum not
7 to exceed\$50,000,000.

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

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

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

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SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects provided or enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will cease thereby depriving the citizens of the State of the benefits to be derived from such projects. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.

APPROVED: 2/10/2005

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