

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S3/30/99 S4/5/99

A Bill

Act 1261 of 1999
SENATE BILL 720

5 By: *Joint Budget Committee*
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
10 RURAL SERVICES FOR DELTA AND RURAL DEVELOPMENT
11 PROJECTS; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF RURAL
15 SERVICES - DELTA AND RURAL DEVELOPMENT
16 PROJECTS CAPITAL IMPROVEMENT
17 APPROPRIATION."
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. APPROPRIATIONS - RURAL AND DEVELOPMENT PROJECTS. There is
23 hereby appropriated, to the Department of *Rural Services* as directed by the
24 *Rural Development Commission*, to be payable from the Delta and Rural
25 Development Trust Fund, the following:

26 (A) For Delta and Rural Development Projects based upon criteria
27 established by the *Rural Development Commission*, the highest priority being
28 given to counties with the highest percentage of TEA recipients and counties
29 with a high percentage of poverty, the sum of
30 \$50,000,000.
31

32 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
33 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON-PROFIT
34 REVIEW OF GRANT APPLICATIONS. Before authorizing release of funds
35 appropriated herein for any project, the Rural Development Commission shall
36 seek review of and recommendations on that project from a 501(c)(3) non-profit

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1 organization serving the Delta region. Recommendations made by any reviewing
2 non-profit organization shall not be construed as binding upon the Rural
3 Development Commission, which shall have final authority to approve or deny
4 funding for projects.

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6 SECTION 3. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
7 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. When funds are
8 authorized to be made available through the provisions of the General
9 Improvement Distribution Act of 1999 for the purposes described herein and
10 upon meeting all other conditions as set out by law, the Chief Fiscal Officer
11 of the State and State Treasurer shall transfer the sum of two million dollars
12 (\$2,000,000), or so much as is made available therefrom, from the General
13 Improvement Fund or its fund account to the Delta and Rural Development Trust
14 Fund there to be used for such purposes as appropriated herein.

15
16 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
17 obligations otherwise incurred in relation to the project or projects
18 described herein in excess of the State Treasury funds actually available
19 therefor as provided by law. Provided, however, that institutions and
20 agencies listed herein shall have the authority to accept and use grants and
21 donations including Federal funds, and to use its unobligated cash income or
22 funds, or both available to it, for the purpose of supplementing the State
23 Treasury funds for financing the entire costs of the project or projects
24 enumerated herein. Provided further, that the appropriations and funds
25 otherwise provided by the General Assembly for Maintenance and General
26 Operations of the agency or institutions receiving appropriation herein shall
27 not be used for any of the purposes as appropriated in this act.

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

34
35 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
36 that any funds disbursed under the authority of the appropriations contained

1 in this act shall be in compliance with the stated reasons for which this act
2 was adopted, as evidenced by the Agency Requests, Executive Recommendations
3 and Legislative Recommendations contained in the budget manuals prepared by
4 the Department of Finance and Administration, letters, or summarized oral
5 testimony in the official minutes of the Arkansas Legislative Council or Joint
6 Budget Committee which relate to its passage and adoption.

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8 SECTION 6. CODE. All provisions of this Act of a general and permanent
9 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
10 Code Revision Commission shall incorporate the same in the Code.

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12 SECTION 7. SEVERABILITY. If any provision of this act or the application
13 thereof to any person or circumstance is held invalid, such invalidity shall
14 not affect other provisions or applications of the act which can be given
15 effect without the invalid provision or application, and to this end the
16 provisions of this act are declared to be severable.

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18 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict with
19 this act are hereby repealed.

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21 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
22 Eighty-second General Assembly, that the Constitution of the State of Arkansas
23 prohibits the appropriation of funds for more than a two (2) year period; that
24 the effectiveness of this Act on July 1, 1999 is essential to the operation of
25 the agency for which the appropriations in this Act are provided, and that in
26 the event of an extension of the Regular Session, the delay in the effective
27 date of this Act beyond July 1, 1999 could work irreparable harm upon the
28 proper administration and provision of essential governmental programs.
29 Therefore, an emergency is hereby declared to exist and this Act being
30 necessary for the immediate preservation of the public peace, health and
31 safety shall be in full force and effect from and after July 1, 1999.

32 /s/ Russ

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35 APPROVED: 4/8/1999