

Stricken language would be deleted from and underlined language would be added to present law.
Act 115 of the Regular Session

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

As Engrossed: S2/16/11

A Bill

HOUSE BILL 1235

5 By: Representative Allen
6 By: Senator Teague
7

For An Act To Be Entitled

9 AN ACT TO REPEAL OBSOLETE ARKANSAS CODE §§ 11-10-323
10 AND 11-10-324; AND FOR OTHER PURPOSES.
11

Subtitle

14 AN ACT TO REPEAL OBSOLETE ARKANSAS CODE
15 §§ 11-10-323 AND 11-10-324.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code § 11-10-323 and 11-10-324 are repealed.

21 ~~11-10-323. Compliance with other laws.~~

22 ~~The General Accounting and Budgetary Procedures Law, § 19-4-101 et~~
23 ~~seq., the Arkansas Procurement Law, § 19-11-201 et seq., the Revenue~~
24 ~~Stabilization Law, § 19-5-101 et seq., and other applicable fiscal laws of~~
25 ~~this state shall be strictly complied with regarding § 11-10-324.~~
26

27 ~~11-10-324. Agreements authorized.~~

28 ~~(a) For the express purpose of providing adequate office facilities to~~
29 ~~the extent that federal funds are available, the Arkansas Building Authority~~
30 ~~Council is authorized to act as the primary lessor and enter into lease-~~
31 ~~purchase agreements, provided that the agreements contain an escape clause~~
32 ~~whereby each agreement could be cancelled at the close of each biennium, if~~
33 ~~necessary, to obtain new facilities with funds derived from federal sources~~
34 ~~for the United States Department of Labor employment and training~~
35 ~~administration offices at Little Rock, Fort Smith, Harrison, Forrest City,~~
36 ~~Jonesboro, Hot Springs, Helena, Fayetteville, Camden, Hope, and Blytheville.~~



1 ~~(b) The council shall make the final determination, with the advice~~
 2 ~~and consent of the Employment and Training Administration of the United~~
 3 ~~States Department of Labor, regarding location or construction of facilities.~~
 4 ~~(c) All agreements and other matters concerning the buying, trading,~~
 5 ~~selling, renting, renovating, or acquisition of any real or personal property~~
 6 ~~as authorized by this subchapter shall be a public record and available for~~
 7 ~~public inspection.~~

8
 9 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
 10 General Assembly of the State of Arkansas that an immediate need exists to
 11 replace a dilapidated facility at Hope, Arkansas; that § 11-10-324 could be
 12 construed to mean that only federal funds could be used in entering into
 13 lease purchase agreements to meet the office needs of the Department of
 14 Workforce Services; and that this act is immediately necessary because a
 15 funding stream is presently available to finance the construction of new
 16 facilities and repeal of § 11-10-324 will clarify the authority of the
 17 department to receive and use that funding. Therefore, an emergency is
 18 declared to exist, and this act being immediately necessary for the
 19 preservation of the public peace, health, and safety shall become effective
 20 on:

- 21 (1) The date of its approval by the Governor;
- 22 (2) If the bill is neither approved nor vetoed by the Governor,
 23 the expiration of the period of time during which the Governor may veto the
 24 bill; or
- 25 (3) If the bill is vetoed by the Governor and the veto is
 26 overridden, the date the last house overrides the veto.

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 28 */s/Allen*

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 31 **APPROVED: 02/23/2011**