

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

A Bill

HOUSE BILL 1646

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
15

For An Act To Be Entitled

16 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
17 OF FINANCE AND ADMINISTRATION - DISBURSING
18 OFFICER FOR PLANNING AND DEVELOPMENT GRANTS; AND
19 FOR OTHER PURPOSES.
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Subtitle

23 AN ACT FOR THE DEPARTMENT OF FINANCE AND
24 ADMINISTRATION - DISBURSING OFFICER -
25 PLANNING AND DEVELOPMENT GRANTS GENERAL
26 IMPROVEMENT APPROPRIATION.
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30 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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32 SECTION 1. APPROPRIATION - PLANNING AND DEVELOPMENT GRANTS. There is
33 hereby appropriated, to the Department of Finance and Administration -
34 Disbursing Officer, to be payable from the General Improvement Fund or its
35 successor fund or fund accounts, the following:

36 (A) for Planning and Development Grants, in a sum not to exceed



1\$5,000,000.

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3 SECTION 2. APPROPRIATION - GENERAL IMPROVEMENT PLANNING AND DEVELOPMENT
4 GRANTS. There is hereby appropriated, to the Department of Finance and
5 Administration - Disbursing Officer, to be payable from the General
6 Improvement Fund or its successor fund or fund accounts, for grants to
7 planning and development districts, the following:

8 (A) for the Northwest Arkansas Economic Development District, Inc., in
9 a sum not to exceed.....\$2,000,000.

10 (B) for the North Central Arkansas Economic Development District, Inc.,
11 in a sum not to exceed.....\$2,000,000.

12 (C) for the Northeast Arkansas Economic Development District, Inc., in
13 a sum not to exceed.....\$2,000,000.

14 (D) for the Southeast Arkansas Economic Development District, Inc., in
15 a sum not to exceed.....\$2,000,000.

16 (E) for the Southwest Economic Development District of Arkansas, Inc.,
17 in a sum not to exceed.....\$2,000,000.

18 (F) for the Western Arkansas Economic Development District Inc., in a
19 sum not to exceed.....\$2,000,000.

20 (G) for the West Central Arkansas Economic Development District Inc.,
21 in a sum not to exceed.....\$2,000,000.

22 (H) for the Central Arkansas Economic Development District, Inc., in a
23 sum not to exceed.....\$2,000,000.

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25 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PLANNING
27 AND DEVELOPMENT GRANTS. The appropriations and funds authorizing Planning and
28 Development Grants by this Act shall be made available for the same purposes
29 and to the same entities as authorized and recognized by the General Assembly
30 in Arkansas Code 14-166-202 through 14-166-205, with the exception that any
31 requirements for matching funds authorized in Arkansas Code 14-166-202
32 through 14-166-205, or any other law to the contrary requiring matching
33 funds, shall not apply to the Planning and Development District Grants
34 authorized in this Act.

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36 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PLANNING
2 AND DEVELOPMENT DISTRICTS. Notwithstanding any other rules, regulations or
3 provision of law to the contrary the appropriations authorized in this Act
4 shall not be restricted by requirements that may be applicable to other
5 programs currently administered. New rules and regulations may be adopted to
6 carry out the intent of the General Assembly regarding the appropriations
7 authorized in this Act.

8 No less than thirty (30) days prior to the distribution of any funds
9 appropriated by this act, the director of the agency shall notify the Speaker
10 of the House of Representatives of the name and address of each recipient and
11 the amount that is being distributed to each recipient.

12 Each Arkansas Planning and Development District receiving planning and
13 development grants authorized by this act shall take into consideration
14 geography, population and city or county boundaries when promulgating rules
15 and regulations for the disbursement of such funds.

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17 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
18 obligations otherwise incurred in relation to the project or projects
19 described herein in excess of the State Treasury funds actually available
20 therefor as provided by law. Provided, however, that institutions and
21 agencies listed herein shall have the authority to accept and use grants and
22 donations including Federal funds, and to use its unobligated cash income or
23 funds, or both available to it, for the purpose of supplementing the State
24 Treasury funds for financing the entire costs of the project or projects
25 enumerated herein. Provided further, that the appropriations and funds
26 otherwise provided by the General Assembly for Maintenance and General
27 Operations of the agency or institutions receiving appropriation herein shall
28 not be used for any of the purposes as appropriated in this act.

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

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

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 10 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
 11 Assembly, that the Constitution of the State of Arkansas prohibits the
 12 appropriation of funds for more than a one (1) year period; that the
 13 effectiveness of this Act on July 1, 2011 is essential to the operation of
 14 the agency for which the appropriations in this Act are provided, and that in
 15 the event of an extension of the legislative session, the delay in the
 16 effective date of this Act beyond July 1, 2011 could work irreparable harm
 17 upon the proper administration and provision of essential governmental
 18 programs. Therefore, an emergency is hereby declared to exist and this Act
 19 being necessary for the immediate preservation of the public peace, health
 20 and safety shall be in full force and effect from and after July 1, 2011.