

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

A Bill

HOUSE BILL 1755

5 By: Representative Webb
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE ECONOMIC
9 DEVELOPMENT COMMISSION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR PLANNING AND DEVELOPMENT
11 DISTRICTS; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE ECONOMIC DEVELOPMENT
15 COMMISSION - PLANNING AND DEVELOPMENT
16 DISTRICT GENERAL IMPROVEMENT APPROPRIATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Economic
23 Development Commission, to be payable from the General Improvement Fund or
24 its successor fund or fund accounts, for a grant for personal services,
25 operating expenses, maintenance, equipment, supplies, renovation and
26 construction for Arkansas Planning and Development District(s) for the fiscal
27 year ending June 30, 2012, the sum of.....\$185,000.
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29 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
31 TRANSFERS. (a) Immediately upon the effective date of this Act, the Chief
32 Fiscal Officer shall transfer on his books and those of the State Treasurer
33 and the Auditor of the State, the sum of one hundred sixty thousand dollars
34 (\$160,000) from the 87th Session Projects Account of the General Improvement
35 Fund, from those monies authorized to Department of Parks and Tourism for the
36 purpose of a grant for construction, renovation, maintenance and purchase of



1 equipment for parks and recreational facilities, to the 88th Session Projects
2 Account of the General Improvement Fund to be used solely for the purpose of
3 financing the appropriation authorized in Section 1 of this Act.

4 (b) Immediately upon the effective date of this Act, the Chief Fiscal
5 Officer shall transfer on his books and those of the State Treasurer and the
6 Auditor of the State, the sum of twenty-five thousand dollars (\$25,000) from
7 the 87th Session Projects Account of the General Improvement Fund, from those
8 monies authorized to Department of Human Services - Division of Volunteerism
9 for the purpose of a grant for personal services and operating expenses to an
10 eligible entity that provides non-profit support throughout the State of
11 Arkansas, to the 88th Session Projects Account of the General Improvement
12 Fund to be used solely for the purpose of financing the appropriation
13 authorized in Section 1 of this Act.

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15 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
17 Notwithstanding any other rules, regulations or provision of law to the
18 contrary the appropriations authorized in this Act shall not be restricted by
19 requirements that may be applicable to other programs currently administered.
20 New rules and regulations may be adopted to carry out the intent of the
21 General Assembly regarding the appropriations authorized in this Act.

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

35 (B) The restrictions of any applicable provisions of the State
36 Purchasing Law, the General Accounting and Budgetary Procedures Law, the

1 Revenue Stabilization Law and any other applicable fiscal control laws of
2 this State and regulations promulgated by the Department of Finance and
3 Administration, as authorized by law, shall be strictly complied with in
4 disbursement of any funds provided by this act unless specifically provided
5 otherwise by law.

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7 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
8 authorized by this act shall be limited to the appropriation for such agency
9 and funds made available by law for the support of such appropriations; and
10 the restrictions of the State Procurement Law, the General Accounting and
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
12 Procedures and Restrictions Act, or their successors, and other fiscal
13 control laws of this State, where applicable, and regulations promulgated by
14 the Department of Finance and Administration, as authorized by law, shall be
15 strictly complied with in disbursement of said funds.

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

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

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