

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: H3/8/13*

# A Bill

HOUSE BILL 1602

5 By: Representatives Baird, *Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz,*  
6 *Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Carter, Catlett, Clemmer,*  
7 *Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas,*  
8 *J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne,*  
9 *Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr,*  
10 *Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary,*  
11 *McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Payton,*  
12 *Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines,*  
13 *W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack,*  
14 *Word, Wren, Wright*

## For An Act To Be Entitled

15  
16 AN ACT TO MAKE AN APPROPRIATION TO THE ECONOMIC  
17 DEVELOPMENT COMMISSION FOR CONSTRUCTION AND OPERATION  
18 OF SENIOR CITIZEN CENTERS; AND FOR OTHER PURPOSES.  
19  
20

## Subtitle

21  
22 AN ACT FOR THE ECONOMIC DEVELOPMENT  
23 COMMISSION GENERAL IMPROVEMENT  
24 APPROPRIATION.  
25  
26

27  
28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
29

30 SECTION 1. APPROPRIATION - SENIOR CITIZEN CENTERS. There is hereby  
31 appropriated, to the Economic Development Commission, to be payable from the  
32 General Improvement Fund or its successor fund or fund accounts, the  
33 following:

34 (A) for grants for defraying the cost of constructing and operating  
35 Senior Citizen Centers, in a sum not to exceed.....\$15,000,000.  
36



1 SECTION 2. APPROPRIATION - GENERAL IMPROVEMENT PROJECTS. There is  
2 hereby appropriated, to the Economic Development Commission, to be payable  
3 from the General Improvement Fund or its successor fund or fund accounts, the  
4 following:

5 (A) for grants to cities, counties, planning and development districts,  
6 and other eligible entities for land acquisition, improvements, construction,  
7 renovation, major maintenance, and purchase of equipment, industrial site  
8 development costs including, construction, renovation, and equipment  
9 acquisition, development of intermodal facilities, including port and  
10 waterway projects, rail spur construction and road and highway improvements,  
11 environmental mitigation projects, and construction and improvement of water  
12 and sewer systems, in a sum not to exceed.....\$15,000,000.  
13

14 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GENERAL  
16 IMPROVEMENT PROJECTS. Notwithstanding any other rules, regulations or  
17 provision of law to the contrary the appropriations authorized in Section 2  
18 of this Act shall not be restricted by requirements that may be applicable to  
19 other programs currently administered. New rules and regulations may be  
20 adopted to carry out the intent of the General Assembly regarding the  
21 appropriations authorized in Section 2 of this Act.

22 No less than thirty (30) days prior to the distribution of any funds  
23 appropriated by Section 2 of this act, the director of the agency shall  
24 notify the Speaker of the House of Representatives of the name and address of  
25 each recipient and the amount that is being distributed to each recipient.  
26

27 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR  
29 CITIZEN CENTERS. The grants authorized in Section 1 of this Act shall not be  
30 restricted by requirements that may be applicable to other grant programs  
31 currently administered by the Economic Development Commission and such grants  
32 shall be equally distributed to Senior Citizen Centers. The Economic  
33 Development Commission may adopt rules and regulations to carry out the  
34 intent of the General Assembly regarding the grant appropriations authorized  
35 in Section 1 of this Act.

36 No less than thirty (30) days prior to the distribution of any funds

1 appropriated by Section 1 of this act, the director of the agency shall  
2 notify the Speaker of the House of Representatives of the name and address of  
3 each recipient and the amount that is being distributed to each recipient.

4 The Area Agencies on Aging shall report to the Economic Development  
5 Commission prior to September 1 those Senior Citizen Centers in their  
6 respective areas that are eligible to receive funding authorized by Section 1  
7 of this act.

8  
9 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
10 obligations otherwise incurred in relation to the project or projects  
11 described herein in excess of the State Treasury funds actually available  
12 therefor as provided by law. Provided, however, that institutions and  
13 agencies listed herein shall have the authority to accept and use grants and  
14 donations including Federal funds, and to use its unobligated cash income or  
15 funds, or both available to it, for the purpose of supplementing the State  
16 Treasury funds for financing the entire costs of the project or projects  
17 enumerated herein. Provided further, that the appropriations and funds  
18 otherwise provided by the General Assembly for Maintenance and General  
19 Operations of the agency or institutions receiving appropriation herein shall  
20 not be used for any of the purposes as appropriated in this act.

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

28  
29 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
30 Assembly that any funds disbursed under the authority of the appropriations  
31 contained in this act shall be in compliance with the stated reasons for  
32 which this act was adopted, as evidenced by the Agency Requests, Executive  
33 Recommendations and Legislative Recommendations contained in the budget  
34 manuals prepared by the Department of Finance and Administration, letters, or  
35 summarized oral testimony in the official minutes of the Arkansas Legislative  
36 Council or Joint Budget Committee which relate to its passage and adoption.

1  
2       SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
3 Assembly, that the Constitution of the State of Arkansas prohibits the  
4 appropriation of funds for more than a one (1) year period; that the  
5 effectiveness of this Act on July 1, 2013 is essential to the operation of  
6 the agency for which the appropriations in this Act are provided, and that in  
7 the event of an extension of the legislative session, the delay in the  
8 effective date of this Act beyond July 1, 2013 could work irreparable harm  
9 upon the proper administration and provision of essential governmental  
10 programs. Therefore, an emergency is hereby declared to exist and this Act  
11 being necessary for the immediate preservation of the public peace, health  
12 and safety shall be in full force and effect from and after July 1, 2013.

13  
14                                                        */s/Baird*  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36