

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 489

5 By: Senator A. Clark
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR
10 GENERAL IMPROVEMENT GRANTS; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT FOR THE DEPARTMENT OF FINANCE AND
14 ADMINISTRATION - DISBURSING OFFICER
15 GENERAL IMPROVEMENT APPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT PLANNING AND DEVELOPMENT
22 GRANTS. There is hereby appropriated, to the Department of Finance and
23 Administration - Disbursing Officer, to be payable from the General
24 Improvement Fund or its successor fund or fund accounts, for grants to the
25 Economic Development Districts for grants for personal services, operating
26 expenses, conference expenses, various travel expenses, capital outlay,
27 reimbursements, professional fees, construction, acquisition, renovation,
28 maintenance, repairs, supplies, equipment, upgrades, purchase of resources,
29 grants and other general expenses by fire departments, emergency medical and
30 management services or programs, Arkansas' Boys and Girls Clubs, Area
31 Agencies on Aging, senior citizen centers, community centers, recreation
32 centers, treatment programs, county jails, fairs, rodeos, police departments,
33 parks, amphitheaters, cemeteries, museums, memorials, after school programs,
34 water and wastewater control projects, counties or subdivisions thereof,
35 municipalities or subdivisions thereof, nonprofit entities, for profit
36 entities, local and national organizations, governmental entities, non-



1 governmental entities, school districts, schools, libraries, associations,
2 state agencies, boards, commissions, institutions of higher education,
3 entities providing services or training for the citizens of Arkansas and any
4 other entity as determined by the Economic Development District the
5 following:

6 (A) for the Northwest Arkansas Economic Development District, Inc., in
7 a sum not to exceed.....\$500,000.

8 (B) for the North Central Arkansas Economic Development District, Inc.,
9 also referred to as the White River Planning and Development District, in a
10 sum not to exceed.....\$500,000.

11 (C) for the Northeast Arkansas Economic Development District, Inc.,
12 also referred to as the East Arkansas Planning and Development District, in a
13 sum not to exceed.....\$500,000.

14 (D) for the Southeast Arkansas Economic Development District, Inc., in
15 a sum not to exceed.....\$500,000.

16 (E) for the Southwest Economic Development District of Arkansas, Inc.,
17 also referred to as the Southwest Planning and Development District, in a sum
18 not to exceed.....\$500,000.

19 (F) for the Western Arkansas Economic Development District, Inc., also
20 referred to as the Western Arkansas Planning and Development District, in a
21 sum not to exceed.....\$500,000.

22 (G) for the West Central Arkansas Economic Development District, Inc.,
23 also referred to as the West Central Arkansas Planning and Development
24 District, in a sum not to exceed.....\$500,000.

25 (H) for the Central Arkansas Economic Development District, Inc., also
26 referred to as the Central Arkansas Planning and Development District, in a
27 sum not to exceed.....\$500,000.

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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. GENERAL
31 IMPROVEMENT PROJECTS ADMINISTRATIVE FEE AND MATCHING REQUIREMENT RESTRICTION.

32 (i) Notwithstanding any other rules, regulations or provision of law to
33 the contrary disbursement of funding provided by the General Assembly for the
34 appropriations authorized in this Act shall not be restricted by rules or
35 requirements that may be applicable to other programs currently administered.

36 (ii) The full amount of funding provided by the General Assembly for

1 the appropriations in this Act shall be distributed and shall not have any
2 requirements which reduce the total amount of funding made available to be
3 disbursed or require a recipient to pay matching funds or fees. Such
4 requirements not allowed shall include but not be limited to, administrative
5 fees, administrative cost reimbursements, charges, fees, deductions, any
6 directive or stipulation requiring a recipient to pay a certain percentage,
7 set amount, or fee in order to receive funds.

8 (iii) New rules and regulations may be adopted to carry out the intent
9 of the General Assembly regarding the distribution of funds provided by the
10 General Assembly for the appropriations authorized in this Act which comply
11 with (ii) herein.

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13 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
14 obligations otherwise incurred in relation to the project or projects
15 described herein in excess of the State Treasury funds actually available
16 therefor as provided by law. Provided, however, that institutions and
17 agencies listed herein shall have the authority to accept and use grants and
18 donations including Federal funds, and to use its unobligated cash income or
19 funds, or both available to it, for the purpose of supplementing the State
20 Treasury funds for financing the entire costs of the project or projects
21 enumerated herein. Provided further, that the appropriations and funds
22 otherwise provided by the General Assembly for Maintenance and General
23 Operations of the agency or institutions receiving appropriation herein shall
24 not be used for any of the purposes as appropriated in this act.

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

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33 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
34 Assembly that any funds disbursed under the authority of the appropriations
35 contained in this act shall be in compliance with the stated reasons for
36 which this act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.
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6 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
7 Assembly, that the Constitution of the State of Arkansas prohibits the
8 appropriation of funds for more than a one (1) year period; that the
9 effectiveness of this Act on July 1, 2017 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the legislative session, the delay in the
12 effective date of this Act beyond July 1, 2017 could work irreparable harm
13 upon the proper administration and provision of essential governmental
14 programs. Therefore, an emergency is hereby declared to exist and this Act
15 being necessary for the immediate preservation of the public peace, health
16 and safety shall be in full force and effect from and after July 1, 2017.
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