

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

A Bill

SENATE BILL 539

5 By: Senator Hendren
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For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE ECONOMIC
9 DEVELOPMENT COMMISSION FOR GRANTS FOR CAPITAL
10 IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.
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Subtitle

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13 AN ACT FOR THE ECONOMIC DEVELOPMENT
14 COMMISSION GENERAL IMPROVEMENT
15 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 - CAPITAL IMPROVEMENT PROJECT GRANTS. There
22 is hereby appropriated, to the Economic Development Commission, to be payable
23 from the General Improvement Fund or its successor fund or fund accounts, the
24 following:

25 (A) for grants to cities, counties, planning and development districts,
26 and other eligible entities for land acquisition, improvements, construction,
27 renovation, major maintenance, and purchase of equipment, industrial site
28 development costs including, construction, renovation, and equipment
29 acquisition, development of intermodal facilities, including port and
30 waterway projects, rail spur construction and road and highway improvements,
31 environmental mitigation projects, and construction and improvement of water
32 and sewer systems, in a sum not to exceed.....\$200,000.
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34 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

36 Notwithstanding any other rules, regulations or provision of law to the



1 contrary the appropriations authorized in this Act shall not be restricted by
2 requirements that may be applicable to other programs currently administered.
3 New rules and regulations may be adopted to carry out the intent of the
4 General Assembly regarding the appropriations authorized in this Act.

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

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

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

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35 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a one (1) year period; that the
2 effectiveness of this Act on July 1, 2011 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the legislative session, the delay in the
5 effective date of this Act beyond July 1, 2011 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health
9 and safety shall be in full force and effect from and after July 1, 2011.

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