

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

As Engrossed: S3/7/11
A Bill

SENATE BILL 539

5 By: Senator Hendren
6

7 **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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13 **Subtitle**

14 AN ACT FOR THE ECONOMIC DEVELOPMENT
15 COMMISSION GENERAL IMPROVEMENT
16 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.

33 (B) for grants for land acquisition, improvements, construction,
34 renovation, major maintenance, and purchase of equipment for compressed
35 natural gas demonstration stations, in a sum not to exceed...\$1,000,000.
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1 SECTION 2. APPROPRIATION - COMPRESSED NATURAL GAS DEMONSTRATION
2 STATIONS. There is hereby appropriated, to the Economic Development
3 Commission, to be payable from the cash funds as defined by Arkansas Code 19-
4 4-801, the following:

5 (A) for grants for land acquisition, improvements, construction,
6 renovation, major maintenance, and purchase of equipment for compressed
7 natural gas demonstration stations, in a sum not to exceed...\$1,000,000.

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9 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 Notwithstanding any other rules, regulations or provision of law to the
12 contrary the appropriations authorized in this Act shall not be restricted by
13 requirements that may be applicable to other programs currently administered.
14 New rules and regulations may be adopted to carry out the intent of the
15 General Assembly regarding the appropriations authorized in this Act.

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17 SECTION 4. 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 5. 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 6. 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.

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22 /s/Hendren
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