

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

*As Engrossed: H3/8/13*

# A Bill

HOUSE BILL 1593

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 ARKANSAS  
17 AGRICULTURE DEPARTMENT FOR CAPITAL IMPROVEMENT  
18 PROJECTS; AND FOR OTHER PURPOSES.  
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## Subtitle

21  
22 AN ACT FOR THE ARKANSAS AGRICULTURE  
23 DEPARTMENT GENERAL IMPROVEMENT  
24 APPROPRIATION.  
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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30 SECTION 1. APPROPRIATION - FAIR GRANTS. There is hereby appropriated,  
31 to the Arkansas Agriculture Department, to be payable from the General  
32 Improvement Fund or its successor fund or fund accounts, the following:

33 (A) for grants to County and District Fairs for construction,  
34 renovation, maintenance and purchase of equipment, in a sum not to exceed  
35 .....\$15,000,000.  
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1 SECTION 2. APPROPRIATION - STATE FAIR AND LIVESTOCK SHOW. There is  
2 hereby appropriated, to the Arkansas Agriculture Department, to be payable  
3 from the General Improvement Fund or its successor fund or fund accounts, the  
4 following:

5 (A) for grants for personal services, operating expenses, maintenance,  
6 construction and renovation costs for State Fair and Livestock Shows, in a  
7 sum not to exceed.....\$15,000,000.

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9 SECTION 3. APPROPRIATION - ALTERNATIVE FUELS AND ENERGY GRANTS. There  
10 is hereby appropriated, to the Arkansas Agriculture Department, to be payable  
11 from the General Improvement Fund or its successor fund or fund accounts, the  
12 following:

13 (A) for Alternative Fuels and Energy grants, in a sum not to exceed  
14 .....\$15,000,000.

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16 SECTION 4. APPROPRIATION - FACILITY IMPROVEMENTS AND CONSTRUCTION -  
17 LIVESTOCK AND POULTRY. There is hereby appropriated, to the Arkansas  
18 Agriculture Department - Livestock and Poultry, to be payable from the  
19 General Improvement Fund or its successor fund or fund accounts, the  
20 following:

21 (A) for Camp Couchdale for improvements to facilities, maintenance,  
22 sewer system connection, facility renovation, roof replacement, equipment  
23 including but not limited to heating, ventilation, and air conditioning  
24 units, road resurfacing and construction of buildings which are used to  
25 support statewide Future Farmers of America activities, in a sum not to  
26 exceed.....\$15,000,000.

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28 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

30 Notwithstanding any other rules, regulations or provision of law to the  
31 contrary the appropriations authorized in Sections 2, 3, and 4 of this Act  
32 shall not be restricted by requirements that may be applicable to other  
33 programs currently administered. New rules and regulations may be adopted to  
34 carry out the intent of the General Assembly regarding the appropriations  
35 authorized in Sections 2, 3, and 4 of this Act.

1 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

3 Notwithstanding any other rules, regulations or provision of law to the  
4 contrary the appropriations authorized in Section 1 of this Act shall not be  
5 restricted by requirements that may be applicable to other programs currently  
6 administered. New rules and regulations may be adopted to carry out the  
7 intent of the General Assembly regarding the appropriations authorized in  
8 Section 1 of this Act.

9 No less than thirty (30) days prior to the distribution of any funds  
10 appropriated by Section 1 of this act, the director of the agency shall  
11 notify the Speaker of the House of Representatives of the name and address of  
12 each recipient and the amount that is being distributed to each recipient.

13 The grant amount authorized for each County Fair by Section 1 of this  
14 act shall be \$7,200 and the grant amount authorized for each District Fair by  
15 Section 1 of this act shall be \$48,000. A determination shall be made as to  
16 whether the actual available funding meets, exceeds or falls below the total  
17 authorized grant amount for all County and District Fairs by Section 1 of  
18 this act. Next, the Department will determine by what percentage the actual  
19 funds available exceed or fall below the total grant amounts authorized by  
20 Section 1 of this act. If actual funding is either above or below the total  
21 authorized grant amount for all County and District Fairs authorized by  
22 Section 1 of this act, each County and District Fair's grant amount will be  
23 adjusted by the percentage the actual funds available exceed or fall below  
24 the total authorized grant amount.

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26 SECTION 7. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
27 obligations otherwise incurred in relation to the project or projects  
28 described herein in excess of the State Treasury funds actually available  
29 therefor as provided by law. Provided, however, that institutions and  
30 agencies listed herein shall have the authority to accept and use grants and  
31 donations including Federal funds, and to use its unobligated cash income or  
32 funds, or both available to it, for the purpose of supplementing the State  
33 Treasury funds for financing the entire costs of the project or projects  
34 enumerated herein. Provided further, that the appropriations and funds  
35 otherwise provided by the General Assembly for Maintenance and General  
36 Operations of the agency or institutions receiving appropriation herein shall

1 not be used for any of the purposes as appropriated in this act.

2 (B) The restrictions of any applicable provisions of the State  
3 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
4 Revenue Stabilization Law and any other applicable fiscal control laws of  
5 this State and regulations promulgated by the Department of Finance and  
6 Administration, as authorized by law, shall be strictly complied with in  
7 disbursement of any funds provided by this act unless specifically provided  
8 otherwise by law.

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10 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General  
11 Assembly that any funds disbursed under the authority of the appropriations  
12 contained in this act shall be in compliance with the stated reasons for  
13 which this act was adopted, as evidenced by the Agency Requests, Executive  
14 Recommendations and Legislative Recommendations contained in the budget  
15 manuals prepared by the Department of Finance and Administration, letters, or  
16 summarized oral testimony in the official minutes of the Arkansas Legislative  
17 Council or Joint Budget Committee which relate to its passage and adoption.

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

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*/s/Baird*

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