

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

As Engrossed: H3/8/13

A Bill

HOUSE BILL 1608

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 DEPARTMENT OF
17 FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR
18 PLANNING AND DEVELOPMENT GRANTS; AND FOR OTHER
19 PURPOSES.
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Subtitle

23 AN ACT FOR THE DEPARTMENT OF FINANCE AND
24 ADMINISTRATION - DISBURSING OFFICER -
25 PLANNING AND DEVELOPMENT GRANTS GENERAL
26 IMPROVEMENT APPROPRIATION.
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30 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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32 SECTION 1. APPROPRIATION - PLANNING AND DEVELOPMENT GRANTS. There is
33 hereby appropriated, to the Department of Finance and Administration -
34 Disbursing Officer, to be payable from the General Improvement Fund or its
35 successor fund or fund accounts, the following:

36 (A) for Planning and Development Grants, in a sum not to exceed



1\$15,000,000.

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3 SECTION 2. APPROPRIATION - PLANNING AND DEVELOPMENT GRANTS. There is
4 hereby appropriated, to the Department of Finance and Administration -
5 Disbursing Officer, to be payable from the General Improvement Fund or its
6 successor fund or fund accounts, the following:

7 (A) for the Northwest Arkansas Economic Development District, Inc., in
8 a sum not to exceed.....\$15,000,000.

9 (B) for the North Central Arkansas Economic Development District, Inc.,
10 in a sum not to exceed.....\$15,000,000.

11 (C) for the Northeast Arkansas Economic Development District, Inc., in
12 a sum not to exceed.....\$15,000,000.

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

15 (E) for the Southwest Economic Development District of Arkansas, Inc.,
16 in a sum not to exceed.....\$15,000,000.

17 (F) for the Western Arkansas Economic Development District, Inc., in a
18 sum not to exceed.....\$15,000,000.

19 (G) for the West Central Arkansas Economic Development District, Inc.,
20 in a sum not to exceed.....\$15,000,000.

21 (H) for the Central Arkansas Economic Development District, Inc., in a
22 sum not to exceed.....\$15,000,000.

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24 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
25 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PLANNING AND
26 DEVELOPMENT GRANTS. The appropriations and funds authorizing Planning and
27 Development Grants by this Act shall be made available for the same purposes
28 and to the same entities as authorized and recognized by the General Assembly
29 in Arkansas Code 14-166-202 through 14-166-205, with the exception that any
30 requirements for matching funds authorized in Arkansas Code 14-166-202
31 through 14-166-205, or any other law to the contrary requiring matching
32 funds, shall not apply to the Planning and Development District Grants
33 authorized in this Act.

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35 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
36 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PLANNING AND

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

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

11 Each Arkansas Planning and Development District receiving planning and
12 development grants authorized by this act shall take into consideration
13 geography, population and city or county boundaries when promulgating rules
14 and regulations for the disbursement of such funds.

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

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

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36 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations
2 contained in this act shall be in compliance with the stated reasons for
3 which this act was adopted, as evidenced by the Agency Requests, Executive
4 Recommendations and Legislative Recommendations contained in the budget
5 manuals prepared by the Department of Finance and Administration, letters, or
6 summarized oral testimony in the official minutes of the Arkansas Legislative
7 Council or Joint Budget Committee which relate to its passage and adoption.
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9 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly, that the Constitution of the State of Arkansas prohibits the
11 appropriation of funds for more than a one (1) year period; that the
12 effectiveness of this Act on July 1, 2013 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the legislative session, the delay in the
15 effective date of this Act beyond July 1, 2013 could work irreparable harm
16 upon the proper administration and provision of essential governmental
17 programs. Therefore, an emergency is hereby declared to exist and this Act
18 being necessary for the immediate preservation of the public peace, health
19 and safety shall be in full force and effect from and after July 1, 2013.
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21 */s/Baird*
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