

Stricken language will be deleted and underlined language will be added.
Act 729 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H3/8/13
A Bill

HOUSE BILL 1593

By: Representatives Baird, Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Carter, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren, Wright

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
AGRICULTURE DEPARTMENT FOR CAPITAL IMPROVEMENT
PROJECTS; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS AGRICULTURE
DEPARTMENT GENERAL IMPROVEMENT
APPROPRIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. APPROPRIATION - FAIR GRANTS. There is hereby appropriated, to the Arkansas Agriculture Department, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) for grants to County and District Fairs for construction, renovation, maintenance and purchase of equipment, in a sum not to exceed\$15,000,000.



SECTION 2. APPROPRIATION - STATE FAIR AND LIVESTOCK SHOW. There is hereby appropriated, to the Arkansas Agriculture Department, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

/s/Baird

APPROVED: 04/04/2013