

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: H3/8/13  
**A Bill**

HOUSE BILL 1608

By: Representatives Baird, *Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burriss, 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 DEPARTMENT OF  
FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR  
PLANNING AND DEVELOPMENT GRANTS; AND FOR OTHER  
PURPOSES.

### **Subtitle**

AN ACT FOR THE DEPARTMENT OF FINANCE AND  
ADMINISTRATION - DISBURSING OFFICER -  
PLANNING AND DEVELOPMENT GRANTS GENERAL  
IMPROVEMENT APPROPRIATION.

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

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

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



.....\$15,000,000.

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

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

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

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

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

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

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

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

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

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

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

DEVELOPMENT DISTRICTS. Notwithstanding any other rules, regulations or provision of law to the contrary the appropriations authorized in 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 this Act.

No less than thirty (30) days prior to the distribution of any funds appropriated by 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.

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

SECTION 5. 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 6. 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 7. 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*