

Stricken language will be deleted and underlined language will be added.

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 489

By: Senator A. Clark

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR
GENERAL IMPROVEMENT GRANTS; AND FOR OTHER PURPOSES.

Subtitle

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

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

SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT 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, for grants to the Economic Development Districts for grants for personal services, operating expenses, conference expenses, various travel expenses, capital outlay, reimbursements, professional fees, construction, acquisition, renovation, maintenance, repairs, supplies, equipment, upgrades, purchase of resources, grants and other general expenses by fire departments, emergency medical and management services or programs, Arkansas' Boys and Girls Clubs, Area Agencies on Aging, senior citizen centers, community centers, recreation centers, treatment programs, county jails, fairs, rodeos, police departments, parks, amphitheaters, cemeteries, museums, memorials, after school programs, water and wastewater control projects, counties or subdivisions thereof, municipalities or subdivisions thereof, nonprofit entities, for profit entities, local and national organizations, governmental entities, non-



governmental entities, school districts, schools, libraries, associations, state agencies, boards, commissions, institutions of higher education, entities providing services or training for the citizens of Arkansas and any other entity as determined by the Economic Development District the following:

(A) for the Northwest Arkansas Economic Development District, Inc., in a sum not to exceed.....\$500,000.

(B) for the North Central Arkansas Economic Development District, Inc., also referred to as the White River Planning and Development District, in a sum not to exceed.....\$500,000.

(C) for the Northeast Arkansas Economic Development District, Inc., also referred to as the East Arkansas Planning and Development District, in a sum not to exceed.....\$500,000.

(D) for the Southeast Arkansas Economic Development District, Inc., in a sum not to exceed.....\$500,000.

(E) for the Southwest Economic Development District of Arkansas, Inc., also referred to as the Southwest Planning and Development District, in a sum not to exceed.....\$500,000.

(F) for the Western Arkansas Economic Development District, Inc., also referred to as the Western Arkansas Planning and Development District, in a sum not to exceed.....\$500,000.

(G) for the West Central Arkansas Economic Development District, Inc., also referred to as the West Central Arkansas Planning and Development District, in a sum not to exceed.....\$500,000.

(H) for the Central Arkansas Economic Development District, Inc., also referred to as the Central Arkansas Planning and Development District, in a sum not to exceed.....\$500,000.

SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GENERAL IMPROVEMENT PROJECTS ADMINISTRATIVE FEE AND MATCHING REQUIREMENT RESTRICTION.

(i) Notwithstanding any other rules, regulations or provision of law to the contrary disbursement of funding provided by the General Assembly for the appropriations authorized in this Act shall not be restricted by rules or requirements that may be applicable to other programs currently administered.

(ii) The full amount of funding provided by the General Assembly for

the appropriations in this Act shall be distributed and shall not have any requirements which reduce the total amount of funding made available to be disbursed or require a recipient to pay matching funds or fees. Such requirements not allowed shall include but not be limited to, administrative fees, administrative cost reimbursements, charges, fees, deductions, any directive or stipulation requiring a recipient to pay a certain percentage, set amount, or fee in order to receive funds.

(iii) New rules and regulations may be adopted to carry out the intent of the General Assembly regarding the distribution of funds provided by the General Assembly for the appropriations authorized in this Act which comply with (ii) herein.

SECTION 3. 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 4. 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 5. 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, 2017 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, 2017 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, 2017.