

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

A Bill

SENATE BILL 689

5 By: Senator Maloch
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE ECONOMIC
9 DEVELOPMENT COMMISSION FOR CAPITAL IMPROVEMENT
10 PROJECTS; AND FOR OTHER PURPOSES.
11

Subtitle

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13 AN ACT FOR THE ECONOMIC DEVELOPMENT
14 COMMISSION - CAPITAL IMPROVEMENT PROJECTS
15 GENERAL IMPROVEMENT APPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. APPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is
22 hereby appropriated, to the Economic Development Commission, to be payable
23 from the General Improvement Fund or its successor fund or fund accounts, the
24 following:

25 (A) for funding for grants and/or loans to state agencies, cities,
26 counties, community-based non-profit organizations and other eligible
27 entities to undertake public works projects and/or job training efforts which
28 support private sector job creation opportunities, alleviate conditions which
29 constitute a threat to public health and well being, or partially defray the
30 costs of providing access to publicly owned industrial parks, and/or
31 technology parks; to provide grants and/or loans for the expansion of the
32 aircraft and aerospace industry; grants and/or loans for port and waterway
33 economic development projects; grants and/or loans for technology based
34 economic development projects; grants and/or loans for industrial site
35 development costs (including, but not limited to land acquisition,
36 construction, renovation, and equipment acquisition); development of



1 intermodal facilities (including, but not limited to port and waterway
2 projects, rail spur construction and road and highway improvements); grants
3 and/or loans to pay the costs of environmental mitigation projects; and for
4 construction and/or improvement of water and sewer systems, in a sum not to
5 exceed.....\$1,000,000.

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

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

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15 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
16 obligations otherwise incurred in relation to the project or projects
17 described herein in excess of the State Treasury funds actually available
18 therefor as provided by law. Provided, however, that institutions and
19 agencies listed herein shall have the authority to accept and use grants and
20 donations including Federal funds, and to use its unobligated cash income or
21 funds, or both available to it, for the purpose of supplementing the State
22 Treasury funds for financing the entire costs of the project or projects
23 enumerated herein. Provided further, that the appropriations and funds
24 otherwise provided by the General Assembly for Maintenance and General
25 Operations of the agency or institutions receiving appropriation herein shall
26 not be used for any of the purposes as appropriated in this act.

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

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34 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
35 Assembly that any funds disbursed under the authority of the appropriations
36 contained in this act shall be in compliance with the stated reasons for

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