

Act 227 of the First Special Session of 1989.

Act 227

HB1077

By: Joint Budget Committee

For An Act To Be Entitled
"AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT
APPROPRIATIONS FOR THE ARKANSAS WATERWAYS COMMISSION; AND FOR
OTHER PURPOSES."

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

SECTION 1. GENERAL IMPROVEMENT. There is hereby appropriated to the Arkansas Waterways Commission, to be payable from the General Improvement Fund or its successor fund or fund accounts for the Arkansas Waterways Commission, the following:

(A) Effective June 30, 1989, the balance of the appropriation provided in Item (A) of Section 1 of Act 388 of 1987 for the acquisition and construction of Helena Harbor - Stage One, in a sum not to exceed\$300,000.

SECTION 2. FEDERAL. There is hereby appropriated to the Arkansas Waterways Commission, to be payable from the federal funds made available to the Arkansas Waterways Commission, the following:

(A) Effective June 30, 1989, the balance of the appropriation provided in Item (1) of Section 1 of Act 313 of 1987 for the acquisition and construction of Helena Harbor - Stage One, in a sum not to exceed.....\$18,403,000.

SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded or 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 the 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, and/or funds available to it, for the purpose of supplementing the said State Treasury funds for financing the entire costs of said project or projects. Provided further, that the appropriations and funds otherwise provided by the General Assembly for maintenance and general operation of the said Institutions and Agencies shall not be used for any of the purposes set out in this Act.

(B) The General Accounting Procedures Law, the State Purchasing Law, the Revenue Stabilization Law, and other applicable fiscal laws of the State, or their successors, shall be strictly complied with, with respect to use of any funds provided by this Act.

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. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

Revision Commission shall incorporate the same in the Code. Act 602 of 1989 is hereby repealed.

SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects enumerated in this Act; that certain appropriations will expire before the adjournment of the Regular Session; and that if such appropriations expire, the programs authorized by such appropriations would cease, thereby depriving the citizens of the State of the benefits to be derived from such projects. 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 its passage and approval.

APPROVED: June 23, 1989
