Act 65 of the First Special Session of 1989.

    Act 65   SB43

By: Joint Budget Committee

                        For An Act To Be Entitled
            "AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS WATERWAYS
            COMMISSION FOR THE CONSTRUCTION OF THE YELLOW BEND SLACKWATER
            HARBOR NAVIGATION PROJECT; AND FOR OTHER PURPOSES."

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

    SECTION 1. APPROPRIATIONS - 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, the
following:
    (A) For the construction of the Yellow Bend Slackwater Harbor Navigation
Project, the sum of.. $400,000.

    SECTION 2. APPROPRIATIONS - FEDERAL. There is hereby appropriated to
the Arkansas Waterways Commission, to be payable from the federal funds that
may be made available to the Arkansas Waterways Commission, the following:
    (A) For the construction of the Yellow Bend Slack Water Harbor Navigation
Project, the sum of.. $3,210,000.

    SECTION 3. APPROPRIATIONS - CASH. There is hereby appropriated to the
Arkansas Waterways Commission, to be payable from cash funds as designated by
the Chief Fiscal Officer of the State, the following:
    (A) For the construction of the Yellow Bend Slack Water Harbor Navigation
Project, the sum of.. $143,190.

    SECTION 4. 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 5. 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 6. 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 972 of 1989 is hereby repealed.

SECTION 7. 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 the effectiveness of this Act on July 1, 1989 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1989 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, 1989.

APPROVED: June 23, 1989

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