

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas  
87th General Assembly  
Regular Session, 2009

# A Bill

SENATE BILL 271

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS  
AGRICULTURE DEPARTMENT; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS AGRICULTURE  
DEPARTMENT REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - LIVESTOCK AND POULTRY COMMISSION. There is hereby appropriated, to the Arkansas Agriculture Department, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Arkansas Agriculture Department, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 1 of Act 1691 of 2007, for a grant for expenses for Youth Livestock Shows, in a sum not to exceed .....\$10,000.

SECTION 2. REAPPROPRIATION - PLANT BOARD - FARMERS MARKETS. There is hereby appropriated, to the Arkansas Agriculture Department, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Arkansas Agriculture Department, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 1 of Act 1517 of 2007, for construction and associated expenses for Farmers Markets, in a sum not to exceed .....\$355,429.



SECTION 3. REAPPROPRIATION - AQUACULTURE FISHERIES CENTER UPGRADES AND EXPENSES. There is hereby appropriated, to the Arkansas Agriculture Department, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Arkansas Agriculture Department, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 61 of Act 1242 of 2007, for equipment upgrades and operating expenses of the Aquaculture Fisheries Center Laboratory at Lake Village, in a sum not to exceed .....\$100,250.

(B) Effective July 1, 2009, the balance of the appropriation provided in Item (B) of Section 61 of Act 1242 of 2007, for construction, renovation and equipment for the Aquaculture Fisheries Center to improve facilities and enhance fish health services for Arkansas Aquaculture through disease diagnosis, treatment advice and inspection services, in a sum not to exceed .....\$137,250.

SECTION 4. REAPPROPRIATION - MAINTENANCE AND OPERATION. There is hereby appropriated, to the Arkansas Agriculture Department, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Arkansas Agriculture Department, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 62 of Act 1242 of 2007, for maintenance and operating expenses of the Arkansas Agriculture Department, in a sum not to exceed .....\$300,000.

(B) Effective July 1, 2009, the balance of the appropriation provided in Item (D) of Section 57 of Act 1242 of 2007, for expenses of the Arkansas Agriculture Department, in a sum not to exceed .....\$26,429.

SECTION 5. REAPPROPRIATION - GRANTS. There is hereby appropriated, to the Arkansas Agriculture Department, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Arkansas Agriculture Department, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (B) of Section 1 of Act 1476 of 2007, for grants for operating and program expenses for annual festivals, in a sum not to exceed .....\$45,000.

1       SECTION 6. REAPPROPRIATION - LIVESTOCK AND POULTRY - COUNTY FAIR  
 2       ENHANCEMENT GRANTS. There is hereby appropriated, to the Arkansas Agriculture  
 3       Department, to be payable from the General Improvement Fund or its successor  
 4       fund or fund accounts, for the Arkansas Agriculture Department, the  
 5       following:

6       (A) Effective July 1, 2009, the balance of the appropriation provided in  
 7       Item (A) of Section 1 of Act 1567 of 2007, for enhancement grants for county  
 8       fairs, in a sum not to exceed .....\$25,000.

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 10       SECTION 7. REAPPROPRIATION - LIVESTOCK AND POULTRY - STATEWIDE GRANTS AND  
 11       ASSISTANCE. There is hereby appropriated, to the Arkansas Agriculture  
 12       Department, to be payable from the General Improvement Fund or its successor  
 13       fund or fund accounts, for the Arkansas Agriculture Department, the  
 14       following:

15       (A) Effective July 1, 2009, the balance of the appropriation provided in  
 16       Item (A) of Section 1 of Act 1730 of 2007, for statewide County Fair grants  
 17       and assistance, in a sum not to exceed .....\$10,000.

18       (B) Effective July 1, 2009, the balance of the appropriation provided in  
 19       Item (B) of Section 1 of Act 1730 of 2007, for statewide State Fair grants  
 20       and assistance, in a sum not to exceed .....\$100,000.

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 22       SECTION 8. REAPPROPRIATION - FORESTRY COMMISSION. There is hereby  
 23       appropriated, to the Arkansas Agriculture Department, to be payable from the  
 24       General Improvement Fund or its successor fund or fund accounts, for the  
 25       Arkansas Agriculture Department, the following:

26       (A) Effective July 1, 2009, the balance of the appropriation provided in  
 27       Item (A) of Section 1 of Act 759 of 2007, for Professional Fees for air  
 28       tankers to fight forest fires during the summer season, in a sum not to  
 29       exceed .....\$748,649.

30       (B) Effective July 1, 2009, the balance of the appropriation provided in  
 31       Item (B) of Section 1 of Act 759 of 2007, for Fire Fighting Equipment to  
 32       purchase 14 tractor-plow units for fighting forest fires, in a sum not to  
 33       exceed .....\$1,541,841.

34       (C) Effective July 1, 2009, the balance of the appropriation provided in  
 35       Item (C) of Section 1 of Act 759 of 2007, for repair of the Little Rock  
 36       Administration Office Building North Face, in a sum not to exceed

.....\$220,000.

SECTION 9. 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 10. 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 11. 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, 2009 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

1 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
2 proper administration and provision of essential governmental programs.  
3 Therefore, an emergency is hereby declared to exist and this Act being  
4 necessary for the immediate preservation of the public peace, health and  
5 safety shall be in full force and effect from and after July 1, 2009.