

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

# A Bill

HOUSE BILL 1016

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
9 IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS  
10 NATURAL RESOURCES COMMISSION; AND FOR OTHER  
11 PURPOSES.  
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## Subtitle

14 AN ACT FOR THE ARKANSAS NATURAL RESOURCES  
15 COMMISSION REAPPROPRIATION.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby  
22 appropriated, to the Arkansas Natural Resources Commission, to be payable  
23 from the General Improvement Fund or its successor fund or fund accounts, for  
24 the Arkansas Natural Resources Commission the following:

25 (A) Effective July 1, 2012, the balance of the appropriation provided  
26 in Item (A) Section 1 of Act 540 of 2011, for a transfer to the Water  
27 Development Fund for loans/grants to communities for water services, in a sum  
28 not to exceed.....\$4,000,000.

29 (B) Effective July 1, 2012, the balance of the appropriation provided  
30 in Item (B) Section 1 of Act 540 of 2011, for a transfer to the Water, Sewer  
31 and Solid Waste Fund for loans/grants to local communities to fund safe,  
32 affordable water, sewage and solid waste disposal for their citizens and  
33 commercial users, in a sum not to exceed.....\$4,000,000.

34 (C) Effective July 1, 2012, the balance of the appropriation provided  
35 in Item (C) Section 1 of Act 540 of 2011, for a transfer to the Water  
36 Resources Cost Share Revolving Fund to provide funding to the state and its



1 political subdivisions to finance the non-federal share of their obligations  
2 in regard to a water resources development project, in a sum not to exceed  
3 .....\$100,000,000.

4 (D) Effective July 1, 2012, the balance of the appropriation provided  
5 in Item (D) Section 1 of Act 540 of 2011, for a transfer to the Drinking  
6 Water State Revolving Fund for the EPA Drinking Water Program, in a sum not  
7 to exceed.....\$5,000,000.

8 (E) Effective July 1, 2012, the balance of the appropriation provided  
9 in Item (E) Section 1 of Act 540 of 2011, for a transfer to the Clean Water  
10 State Revolving Fund for the EPA Program for sewer projects, in a sum not to  
11 exceed.....\$5,000,000.

12 (F) Effective July 1, 2012, the balance of the appropriation provided  
13 in Item (F) Section 1 of Act 540 of 2011, for development of the State Water  
14 Plan, in a sum not to exceed.....\$4,000,000.

15 (G) Effective July 1, 2012, the balance of the appropriation provided  
16 in Item (G) Section 1 of Act 540 of 2011, for a transfer to the Ouachita  
17 River Waterway Trust Fund for grants for projects approved through the  
18 Ouachita River Commission for river based recreation projects in the Ouachita  
19 River area, in a sum not to exceed.....\$500,000.

20 (H) Effective July 1, 2012, the balance of the appropriation provided  
21 in Item (A) Section 1 of Act 77 of 2011, for project expenses of the Illinois  
22 River Conservation Reserve Improvement Program, in a sum not to exceed  
23 .....\$1,495,000.

24 (I) Effective July 1, 2012, the balance of the appropriation provided  
25 in Item (A) Section 1 of Act 649 of 2011, for grants for construction,  
26 repairs, purchase of equipment, land acquisition, fees, administrative costs,  
27 operating, improvements, professional fees and services, and other related  
28 costs for sewer, water and waste water projects, levee repair, rehabilitation  
29 and maintenance projects, flood control and drainage projects, fire  
30 protection services, and irrigation projects, in a sum not to exceed  
31 .....\$500,000.

32 (J) Effective July 1, 2012, the balance of the appropriation provided  
33 in Item (A) Section 1 of Act 356 of 2011, for grants for construction,  
34 repairs, purchase of equipment, land acquisition, fees, administrative costs,  
35 operating, improvements, professional fees and services, and other related  
36 costs for water and waste water projects, levee repair, rehabilitation and

1 maintenance projects, flood control and drainage projects, fire protection  
2 services, and irrigation projects, in a sum not to exceed.....\$175,000.

3 (K) Effective July 1, 2012, the balance of the appropriation provided  
4 in Item (A) Section 1 of Act 413 of 2011, for grants for construction,  
5 repairs, purchase of equipment, land acquisition, fees, administrative costs,  
6 operating, improvements, professional fees and services, and other related  
7 costs for water and waste water projects, levee repair, rehabilitation and  
8 maintenance projects, flood control and drainage projects, fire protection  
9 services, and irrigation projects, in a sum not to exceed.....\$1,000,000.

10 (L) Effective July 1, 2012, the balance of the appropriation provided  
11 in Item (A) Section 1 of Act 666 of 2011, for grants for construction,  
12 repairs, purchase of equipment, land acquisition, fees, administrative costs,  
13 operating, improvements, professional fees and services, and other related  
14 costs for water and waste water projects, levee repair, rehabilitation and  
15 maintenance projects, flood control and drainage projects, fire protection  
16 services, and irrigation projects, in a sum not to exceed.....\$500,000.

17 (M) Effective July 1, 2012, the balance of the appropriation provided  
18 in Item (A) Section 1 of Act 435 of 2011, for grants for construction,  
19 repairs, purchase of equipment, land acquisition, fees, administrative costs,  
20 operating, improvements, professional fees and services, and other related  
21 costs for water and waste water projects, levee repair, rehabilitation and  
22 maintenance projects, flood control and drainage projects, fire protection  
23 services, and irrigation projects, in a sum not to exceed.....\$200,000.  
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25 SECTION 2. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to  
26 the Arkansas Natural Resources Commission, to be payable from the federal  
27 funds as designated by the Chief Fiscal Officer of the State, for the  
28 Arkansas Natural Resources Commission the following:

29 (A) Effective July 1, 2012, the balance of the appropriation provided  
30 in Item (A) Section 2 of Act 540 of 2011, for a transfer to the Water  
31 Resources Cost Share Revolving Fund to provide funding to the state and its  
32 political subdivisions to finance the non-federal share of their obligations  
33 in regard to a water resources development project, in a sum not to exceed  
34 .....\$560,000,000.

35 (B) Effective July 1, 2012, the balance of the appropriation provided  
36 in Item (B) Section 2 of Act 540 of 2011, for a transfer to the Drinking

1 Water State Revolving Fund for the EPA Drinking Water Program, in a sum not  
2 to exceed.....\$20,000,000.

3 (C) Effective July 1, 2012, the balance of the appropriation provided  
4 in Item (C) Section 2 of Act 540 of 2011, for a transfer to the Clean Water  
5 State Revolving Fund for the EPA Program for sewer projects, in a sum not to  
6 exceed.....\$25,000,000.

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8 SECTION 3. REAPPROPRIATION - CASH. There is hereby appropriated, to  
9 the Arkansas Natural Resources Commission, to be payable from the cash fund  
10 deposited in the State Treasury as determined by the Chief Fiscal Officer of  
11 the State, for the Arkansas Natural Resources Commission the following:

12 (A) Effective July 1, 2012, the balance of the appropriation provided  
13 in Item (A) Section 3 of Act 540 of 2011, for a transfer to the Water  
14 Development Fund for loans/grants to communities for water services, in a sum  
15 not to exceed.....\$2,000,000.

16 (B) Effective July 1, 2012, the balance of the appropriation provided  
17 in Item (B) Section 3 of Act 540 of 2011, for a transfer to the Water, Sewer  
18 and Solid Waste Fund for loans/grants to local communities to fund safe,  
19 affordable water, sewage and solid waste disposal for their citizens and  
20 commercial users, in a sum not to exceed.....\$2,000,000.

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22 SECTION 4. REAPPROPRIATION - BOND PROCEEDS. There is hereby  
23 appropriated, to the Arkansas Natural Resources Commission, to be payable  
24 from the Bond Proceeds, for the Arkansas Natural Resources Commission the  
25 following:

26 (A) Effective July 1, 2012, the balance of the appropriation provided  
27 in Item (A) Section 4 of Act 540 of 2011, for a transfer to the Water  
28 Resources Cost Share Revolving Fund to provide funding to the state and its  
29 political subdivisions to finance the non-federal share of their obligations  
30 in regard to a water resources development project, in a sum not to exceed  
31 .....\$350,000,000.

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33 SECTION 5. REAPPROPRIATION - TRUST FUNDS. There is hereby  
34 appropriated, to the Arkansas Natural Resources Commission, to be payable  
35 from the Ouachita River Waterways Project Trust Fund, for the Arkansas  
36 Natural Resources Commission the following:

1 (A) Effective July 1, 2012, the balance of the appropriation provided  
 2 in Item (A) Section 5 of Act 540 of 2011, for grants for projects approved  
 3 through the Ouachita River Commission for river based recreation projects in  
 4 the Ouachita River area, in a sum not to exceed.....\$2,000,000.  
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6 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
 7 obligations otherwise incurred in relation to the project or projects  
 8 described herein in excess of the State Treasury funds actually available  
 9 therefor as provided by law. Provided, however, that institutions and  
 10 agencies listed herein shall have the authority to accept and use grants and  
 11 donations including Federal funds, and to use its unobligated cash income or  
 12 funds, or both available to it, for the purpose of supplementing the State  
 13 Treasury funds for financing the entire costs of the project or projects  
 14 enumerated herein. Provided further, that the appropriations and funds  
 15 otherwise provided by the General Assembly for Maintenance and General  
 16 Operations of the agency or institutions receiving appropriation herein shall  
 17 not be used for any of the purposes as appropriated in this act.

18 (B) The restrictions of any applicable provisions of the State  
 19 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
 20 Revenue Stabilization Law and any other applicable fiscal control laws of  
 21 this State and regulations promulgated by the Department of Finance and  
 22 Administration, as authorized by law, shall be strictly complied with in  
 23 disbursement of any funds provided by this act unless specifically provided  
 24 otherwise by law.  
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26 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General  
 27 Assembly that any funds disbursed under the authority of the appropriations  
 28 contained in this act shall be in compliance with the stated reasons for  
 29 which this act was adopted, as evidenced by the Agency Requests, Executive  
 30 Recommendations and Legislative Recommendations contained in the budget  
 31 manuals prepared by the Department of Finance and Administration, letters, or  
 32 summarized oral testimony in the official minutes of the Arkansas Legislative  
 33 Council or Joint Budget Committee which relate to its passage and adoption.  
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35 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
 36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a one (1) year period; that the  
2 effectiveness of this Act on July 1, 2012 is essential to the operation of  
3 the agency for which the appropriations in this Act are provided, and that in  
4 the event of an extension of the legislative session, the delay in the  
5 effective date of this Act beyond July 1, 2012 could work irreparable harm  
6 upon the proper administration and provision of essential governmental  
7 programs. Therefore, an emergency is hereby declared to exist and this Act  
8 being necessary for the immediate preservation of the public peace, health  
9 and safety shall be in full force and effect from and after July 1, 2012.

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12 **APPROVED: 02/21/2012**  
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