

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

SENATE BILL 110

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

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

14 AN ACT FOR THE ARKANSAS AGRICULTURE
15 DEPARTMENT 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 - LIVESTOCK AND POULTRY COMMISSION. There is
22 hereby appropriated, to the Arkansas Agriculture Department, to be payable
23 from the General Improvement Fund or its successor fund or fund accounts, for
24 the Arkansas Agriculture Department, the following:

25 (A) Effective July 1, 2010, the balance of the appropriation provided in
26 Item (A) of Section 1 of Act 129 of 2009, for a grant for expenses for Youth
27 Livestock Shows, in a sum not to exceed\$10,000.
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29 (B) Effective July 1, 2010, the balance of the appropriation provided in
30 Item (A) of Section 6 of Act 129 of 2009, for enhancement grants for county
31 fairs, in a sum not to exceed\$25,000.
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33 (C) Effective July 1, 2010, the balance of the appropriation provided in
34 Item (A) of Section 1 of Act 1022 of 2009, for grants for personal services,
35 operating expenses, maintenance, construction and renovation costs for State
36 Fair and Livestock Shows, in a sum not to exceed\$600,000.

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(D) Effective July 1, 2010, the balance of the appropriation provided in Item (1) of Section 44 of Act 1331 of 2009, for show premiums, refunds, and reimbursements for the ARSHS Rodeo Association, in a sum not to exceed\$30,000.

(E) Effective July 1, 2010, the balance of the appropriation provided in Item (2) of Section 44 of Act 1331 of 2009, for show premiums, refunds and reimbursements for 4H Clubs, in a sum not to exceed\$30,000.

(F) Effective July 1, 2010, the balance of the appropriation provided in Item (3) of Section 44 of Act 1331 of 2009, for show premiums, refunds and reimbursements for FFA Clubs, in a sum not to exceed\$30,000.

(G) Effective July 1, 2010, the balance of the appropriation provided in Item (A) of Section 1 of Act 1357 of 2009, for Camp Couchdale for improvements to facilities, maintenance, sewer system connection, facility renovation, roof replacement, equipment including but not limited to Heating, Ventilation and Air Conditioning Units, road re-surfacing and construction of buildings which are used to support statewide Future Farmers of America activities, in a sum not to exceed\$500,000.

(H) Effective July 1, 2010, the balance of the appropriation provided in Item (A) of Section 1 of Act 900 of 2009, for Camp Couchdale for improvements to facilities, maintenance, sewer system connection, facility renovation, roof replacement, equipment including but not limited to Heating, Ventilation and Air Conditioning Units, road re-surfacing and construction of buildings which are used to support statewide Future Farmers of America activities, in a sum not to exceed\$1,500,000.

(I) Effective July 1, 2010, the balance of the appropriation provided in Item (A) of Section 1 of Act 888 of 2009, for grants to County and District Fairs for construction, renovation, maintenance and purchase of equipment, in a sum not to exceed\$5,000,000.

(J) Effective July 1, 2010, the balance of the appropriation provided in

1 Item (A) of Section 1 of Act 520 of 2009, for the Livestock and Poultry
2 Commission for grants for construction and renovation of County and District
3 Fairs, in a sum not to exceed\$847,200.

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5 SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT FUND. There is hereby
6 appropriated, to the Arkansas Agriculture Department, to be payable from the
7 General Improvement Fund or its successor fund or fund accounts, for the
8 Arkansas Agriculture Department, the following:

9 (A) Effective July 1, 2010, the balance of the appropriation provided in
10 Item (B) of Section 4 of Act 129 of 2009, for expenses of the Arkansas
11 Agriculture Department, in a sum not to exceed\$26,429.

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13 (B) Effective July 1, 2010, the balance of the appropriation provided in
14 Item (A) of Section 5 of Act 129 of 2009, for grants for operating and
15 program expenses for annual festivals, in a sum not to exceed\$45,000.

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17 (C) Effective July 1, 2010, the balance of the appropriation provided in
18 Item (A) of Section 4 of Act 129 of 2009 and Sections 2 and 3 of Act 1435 of
19 2009, for maintenance and operating expenses of the Arkansas Agriculture
20 Department and costs for construction of a storage building and secure fence
21 for storage of Emergency Response and other equipment of the Livestock and
22 Poultry Commission, in a sum not to exceed\$297,960.

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24 SECTION 3. REAPPROPRIATION - FORESTRY COMMISSION. There is hereby
25 appropriated, to the Arkansas Agriculture Department, to be payable from the
26 General Improvement Fund or its successor fund or fund accounts, for the
27 Arkansas Agriculture Department, the following:

28 (A) Effective July 1, 2010, the balance of the appropriation provided in
29 Item (A) of Section 8 of Act 129 of 2009, for Professional Fees for air
30 tankers to fight forest fires during the summer season, in a sum not to
31 exceed\$588,701.

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33 (B) Effective July 1, 2010, the balance of the appropriation provided in
34 Item (B) of Section 8 of Act 129 of 2009, for Fire Fighting Equipment to
35 purchase 14 tractor-plow units for fighting forest fires, in a sum not to
36 exceed\$1,141,841.

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(C) Effective July 1, 2010, the balance of the appropriation provided in Item (C) of Section 8 of Act 129 of 2009, for repair of the Little Rock Administration Office Building, in a sum not to exceed.....\$212,985.

(D) Effective July 1, 2010, the balance of the appropriation provided in Item (A) of Section 1 of Act 1044 of 2009, for the Arkansas Association of Conservation Districts to conduct eight (8) workshops in north Arkansas to assist people and local governments in chainsaw safety, first aid, evaluating timber salvage potential, reforestation and wildfire hazard mitigation in response to ice storm damage, in a sum not to exceed\$30,000.

(E) Effective July 1, 2010, the balance of the appropriation provided in Item (A) of Section 1 of Act 1094 of 2009, for personal services and operating expenses for the Fireboat Training Program, in a sum not to exceed\$25,000.

(F) Effective July 1, 2010, the balance of the appropriation provided in Item (A) of Section 1 of Act 1360 of 2009, for a grant for expenses associated with land acquisition, construction, habitat restoration, research and maintenance of watershed property around Lake Maumelle in order to continue good water quality for the citizens of Central Arkansas as well as serving the interests of all the citizens of Arkansas in the development of habitat restoration, research and the maintenance of such lands, in a sum not to exceed\$4,000,000.

(G) Effective July 1, 2010, the balance of the appropriation provided in Item (C) of Section 1 of Act 520 of 2009, to purchase Fire Fighting Equipment, in a sum not to exceed\$2,000,000.

(H) Effective July 1, 2010, the balance of the appropriation provided in Item (D) of Section 1 of Act 520 of 2009, for a Professional Services Contract for Air Tankers to fight wildfires, in a sum not to exceed\$750,000.

1 SECTION 4. REAPPROPRIATION – ALTERNATIVE FUELS DEVELOPMENT. There is
2 hereby appropriated, to the Arkansas Agriculture Department, to be payable
3 from the General Improvement Fund or its successor fund or fund accounts, for
4 the Arkansas Agriculture Department, the following:

5 (A) Effective July 1, 2010, the balance of the appropriation provided in
6 Item (B) of Section 1 of Act 520 of 2009, for grants for the Alternative
7 Fuels Development Program, in a sum not to exceed\$10,000,000.

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9 SECTION 5. REAPPROPRIATION - DAIRY STABILIZATION PROGRAM. There is hereby
10 appropriated, to the Arkansas Agriculture Department, to be payable from the
11 General Improvement Fund or its successor fund or fund accounts, for the
12 Arkansas Agriculture Department, the following:

13 (A) Effective July 1, 2010, the balance of the appropriation provided in
14 Item (A) of Section 1 of Act 1303 of 2009, for Dairy Stabilization Program
15 payments, milk production and quality incentives, grants and aid, and
16 maintenance and operating expenses, in a sum not to exceed\$9,100,000.

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18 SECTION 6. REAPPROPRIATION - PLANT BOARD. There is hereby appropriated, to
19 the Arkansas Agriculture Department, to be payable from the General
20 Improvement Fund or its successor fund or fund accounts, for the Arkansas
21 Agriculture Department, the following:

22 (A) Effective July 1, 2010, the balance of the appropriation provided in
23 Item (A) of Section 1 of Act 836 of 2009, for the purpose of reducing the
24 current long term debt associated with the implementation of the Arkansas
25 Boll Weevil Eradication Program, in a sum not to exceed\$6,000,000.

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27 SECTION 7. REAPPROPRIATION - NECROPSY ROOM IMPROVEMENTS. There is hereby
28 appropriated, to the Arkansas Agriculture Department, to be payable from the
29 Livestock and Poultry Special Revenue Fund, for the Arkansas Agriculture
30 Department, the following:

31 (A) Effective July 1, 2010, the balance of the appropriation provided in
32 Item (A) of Section 1 of Act 1358 of 2009, for construction, renovation and
33 equipping of the Necropsy Room at the Livestock and Poultry Diagnostic Lab,
34 in a sum not to exceed\$75,000.

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36 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE

1 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. As referenced
2 in (d) in Section 3 of Act 1202 of 2007 and (d) Section 3 of Act 1753 of 2007
3 as amended by Act 1755 of 2007, the authorized funding for the Arkansas
4 Agriculture Department for repair of the Little Rock Administration Office
5 Building North Face shall instead be deemed Arkansas Agriculture Department
6 for repair of the Little Rock Administration Office Building.

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8 SECTION 9. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
9 obligations otherwise incurred in relation to the project or projects
10 described herein in excess of the State Treasury funds actually available
11 therefor as provided by law. Provided, however, that institutions and
12 agencies listed herein shall have the authority to accept and use grants and
13 donations including Federal funds, and to use its unobligated cash income or
14 funds, or both available to it, for the purpose of supplementing the State
15 Treasury funds for financing the entire costs of the project or projects
16 enumerated herein. Provided further, that the appropriations and funds
17 otherwise provided by the General Assembly for Maintenance and General
18 Operations of the agency or institutions receiving appropriation herein shall
19 not be used for any of the purposes as appropriated in this act.

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

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27 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
28 that any funds disbursed under the authority of the appropriations contained
29 in this act shall be in compliance with the stated reasons for which this act
30 was adopted, as evidenced by the Agency Requests, Executive Recommendations
31 and Legislative Recommendations contained in the budget manuals prepared by
32 the Department of Finance and Administration, letters, or summarized oral
33 testimony in the official minutes of the Arkansas Legislative Council or
34 Joint Budget Committee which relate to its passage and adoption.

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36 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the
2 appropriation of funds for more than a one (1) year period; that the
3 effectiveness of this Act on July 1, 2010 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the legislative session, the delay in the
6 effective date of this Act beyond July 1, 2010 could work irreparable harm
7 upon the proper administration and provision of essential governmental
8 programs. Therefore, an emergency is hereby declared to exist and this Act
9 being necessary for the immediate preservation of the public peace, health
10 and safety shall be in full force and effect from and after July 1, 2010.

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13 **APPROVED: 02/19/2010**
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