

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.
Act 129 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

SENATE BILL 271

5 By: Joint Budget Committee
6
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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, 2009, the balance of the appropriation provided in
26 Item (A) of Section 1 of Act 1691 of 2007, for a grant for expenses for Youth
27 Livestock Shows, in a sum not to exceed\$10,000.
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29 SECTION 2. REAPPROPRIATION - PLANT BOARD - FARMERS MARKETS. There is
30 hereby appropriated, to the Arkansas Agriculture Department, to be payable
31 from the General Improvement Fund or its successor fund or fund accounts, for
32 the Arkansas Agriculture Department, the following:

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



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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.

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SECTION 6. REAPPROPRIATION - LIVESTOCK AND POULTRY - COUNTY FAIR ENHANCEMENT 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 (A) of Section 1 of Act 1567 of 2007, for enhancement grants for county fairs, in a sum not to exceed\$25,000.

SECTION 7. REAPPROPRIATION - LIVESTOCK AND POULTRY - STATEWIDE GRANTS AND ASSISTANCE. 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 1730 of 2007, for statewide County Fair grants and assistance, in a sum not to exceed\$10,000.

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

SECTION 8. REAPPROPRIATION - FORESTRY 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 759 of 2007, for Professional Fees for air tankers to fight forest fires during the summer season, in a sum not to exceed\$748,649.

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

(C) Effective July 1, 2009, the balance of the appropriation provided in Item (C) of Section 1 of Act 759 of 2007, for repair of the Little Rock

1 Administration Office Building North Face, in a sum not to exceed
2\$220,000.
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4 SECTION 9. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
5 obligations otherwise incurred in relation to the project or projects
6 described herein in excess of the State Treasury funds actually available
7 therefor as provided by law. Provided, however, that institutions and
8 agencies listed herein shall have the authority to accept and use grants and
9 donations including Federal funds, and to use its unobligated cash income or
10 funds, or both available to it, for the purpose of supplementing the State
11 Treasury funds for financing the entire costs of the project or projects
12 enumerated herein. Provided further, that the appropriations and funds
13 otherwise provided by the General Assembly for Maintenance and General
14 Operations of the agency or institutions receiving appropriation herein shall
15 not be used for any of the purposes as appropriated in this act.

16 (B) The restrictions of any applicable provisions of the State Purchasing
17 Law, the General Accounting and Budgetary Procedures Law, the Revenue
18 Stabilization Law and any other applicable fiscal control laws of this State
19 and regulations promulgated by the Department of Finance and Administration,
20 as authorized by law, shall be strictly complied with in disbursement of any
21 funds provided by this act unless specifically provided otherwise by law.
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23 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
24 that any funds disbursed under the authority of the appropriations contained
25 in this act shall be in compliance with the stated reasons for which this act
26 was adopted, as evidenced by the Agency Requests, Executive Recommendations
27 and Legislative Recommendations contained in the budget manuals prepared by
28 the Department of Finance and Administration, letters, or summarized oral
29 testimony in the official minutes of the Arkansas Legislative Council or
30 Joint Budget Committee which relate to its passage and adoption.
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32 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General
33 Assembly, that the Constitution of the State of Arkansas prohibits the
34 appropriation of funds for more than a one (1) year period; that the
35 effectiveness of this Act on July 1, 2009 is essential to the operation of
36 the agency for which the appropriations in this Act are provided, and that in

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

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8 **APPROVED: 2/12/2009**
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