

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: S2/9/21

**A Bill**

SENATE BILL 268

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 *DEPARTMENT OF*  
10 *AGRICULTURE*; AND FOR OTHER PURPOSES.

**Subtitle**

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14 AN ACT FOR THE *DEPARTMENT OF AGRICULTURE*  
15 REAPPROPRIATION.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUND PROJECTS.

21 There is hereby appropriated, to the *Department of Agriculture*, to be payable  
22 from the Development and Enhancement Fund, for the *Department of Agriculture*  
23 the following:

24 (A) Effective July 1, 2021, the balance of the appropriation provided  
25 in Item (A) of Section 1 of Act 109 of 2020, for various maintenance,  
26 renovation, equipping, professional services contracts for air tankers,  
27 construction, acquisition, improvement, upgrade, and repair of real property  
28 and facilities, personal services and operational expenses related to  
29 agricultural disasters, in a sum not to exceed .....\$14,926.

30 (B) Effective July 1, 2021, the balance of the appropriation provided  
31 in Item (B) of Section 1 of Act 109 of 2020, for various maintenance,  
32 renovation, equipping, professional services contracts for air tankers,  
33 construction, acquisition, improvement, upgrade, and repair of real property  
34 and facilities, in a sum not to exceed .....\$22,210.

35 (C) Effective July 1, 2021, the balance of the appropriation provided  
36 in Item (C) of Section 1 of Act 109 of 2020, for various maintenance,



1 renovation, equipping, professional services contracts for air tankers,  
 2 construction, acquisition, improvement, upgrade and repair of real property  
 3 and *facilities of the Department of Agriculture*, in a sum not to exceed  
 4 .....\$10,000,000.

5 (D) Effective July 1, 2021, the balance of the appropriation provided  
 6 in Item (D) of Section 1 of Act 109 of 2020, for various maintenance,  
 7 renovation, equipping, professional services contracts for air tankers,  
 8 construction, acquisition, improvement, upgrade, repair of real property and  
 9 facilities, personal services and operating expenses related to agriculture  
 10 disasters, in a sum not to exceed .....\$10,000,000.

11 (E) Effective July 1, 2021, the balance of the appropriation provided  
 12 in Item (E) of Section 1 of Act 109 of 2020, for construction, renovation,  
 13 repairs and equipping of new office space, laboratories, and support  
 14 facilities for the Department of Agriculture, in a sum not to exceed  
 15 .....\$6,000,000.

16 (F) Effective July 1, 2021, the balance of the appropriation provided  
 17 in Item (F) of Section 1 of Act 109 of 2020, for IT software, in a sum not to  
 18 exceed .....\$300,000.

19 (G) Effective July 1, 2021, the balance of the appropriation provided  
 20 in Item (G) of Section 1 of Act 109 of 2020, for various maintenance,  
 21 renovation, equipping, professional services contracts for air tankers,  
 22 construction, acquisition, improvement, upgrade, and repair of real property  
 23 and facilities for the Arkansas Forestry Commission, in a sum not to exceed  
 24 .....\$1,000,000.

25 (H) Effective July 1, 2021, the balance of the appropriation provided  
 26 in Item (I) of Section 1 of Act 109 of 2020, for purchase and replacement of  
 27 aging and outdated laboratory equipment for the Agriculture Department  
 28 Laboratory, in a sum not to exceed .....\$450,000.

29 (I) Effective July 1, 2021, the balance of the appropriation provided  
 30 in Item (J) of Section 1 of Act 109 of 2020, for grants or low interest loans  
 31 to pay for the debts associated with the Arkansas Boll Weevil Suppression  
 32 Eradication, in a sum not to exceed .....\$13,800,000.

33 (J) Effective July 1, 2021, the balance of the appropriation provided  
 34 in Item (K) of Section 1 of Act 109 of 2020, for renovations and replacement  
 35 furnishings for the Department of Agriculture, in a sum not to exceed  
 36 .....\$350,000.

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SECTION 2. REAPPROPRIATION - BOND PROCEEDS. There is hereby appropriated, to the *Department of Agriculture* to be payable from the Bond Proceeds, for the *Department of Agriculture* the following:

(A) Effective July 1, 2021, the balance of the appropriation provided in Item (A) of Section 2 of Act 109 of 2020, for construction of New Office Space, Laboratories and Support Facilities for the Department of Agriculture, in a sum not to exceed .....\$60,000,000.

(B) Effective July 1, 2021, the balance of the appropriation provided in Item (B) of Section 2 of Act 109 of 2020, for construction, renovation, repairs and equipping of new office space, laboratories, and support facilities for the Department of Agriculture, in a sum not to exceed .....\$60,000,000.

SECTION 3. REAPPROPRIATION - NECROPSY ROOM IMPROVEMENTS. There is hereby appropriated, to the *Department of Agriculture*, to be payable from the Livestock and Poultry Special Revenue Fund, for the *Department of Agriculture* the following:

(A) Effective July 1, 2021, the balance of the appropriation provided in Item (A) of Section 3 of Act 109 of 2020, for construction, renovation and equipping of the Necropsy Room at the Livestock and Poultry Diagnostic Lab, in a sum not to exceed .....\$69,563.

SECTION 4. REAPPROPRIATION - NATURAL AND CULTURAL RESOURCES COUNCIL - STATE OWNED LANDS OR HISTORIC SITES. There is hereby appropriated, to the *Department of Agriculture*, to be payable from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the *Department of Agriculture* the following:

(A) Effective July 1, 2021, the balance of the appropriation provided in Section 27 of Act 18 of 2020, for acquisition, management, stewardship or preservation of state owned lands, historic sites, buildings, structures or objects, in a sum not to exceed .....\$1,606,459.

SECTION 5. 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

1 therefor as provided by law. Provided, however, that institutions and  
2 agencies listed herein shall have the authority to accept and use grants and  
3 donations including Federal funds, and to use its unobligated cash income or  
4 funds, or both available to it, for the purpose of supplementing the State  
5 Treasury funds for financing the entire costs of the project or projects  
6 enumerated herein. Provided further, that the appropriations and funds  
7 otherwise provided by the General Assembly for Maintenance and General  
8 Operations of the agency or institutions receiving appropriation herein shall  
9 not be used for any of the purposes as appropriated in this act.

10 (B) The restrictions of any applicable provisions of the State  
11 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
12 Revenue Stabilization Law and any other applicable fiscal control laws of  
13 this State and regulations promulgated by the Department of Finance and  
14 Administration, as authorized by law, shall be strictly complied with in  
15 disbursement of any funds provided by this act unless specifically provided  
16 otherwise by law.

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18 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
19 Assembly that any funds disbursed under the authority of the appropriations  
20 contained in this act shall be in compliance with the stated reasons for  
21 which this act was adopted, as evidenced by the Agency Requests, Executive  
22 Recommendations and Legislative Recommendations contained in the budget  
23 manuals prepared by the Department of Finance and Administration, letters, or  
24 summarized oral testimony in the official minutes of the Arkansas Legislative  
25 Council or Joint Budget Committee which relate to its passage and adoption.

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27 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
28 Assembly, that the Constitution of the State of Arkansas prohibits the  
29 appropriation of funds for more than a one (1) year period; that the  
30 effectiveness of this Act on July 1, 2021 is essential to the operation of  
31 the agency for which the appropriations in this Act are provided, and that in  
32 the event of an extension of the legislative session, the delay in the  
33 effective date of this Act beyond July 1, 2021 could work irreparable harm  
34 upon the proper administration and provision of essential governmental  
35 programs. Therefore, an emergency is hereby declared to exist and this Act  
36 being necessary for the immediate preservation of the public peace, health

1 and safety shall be in full force and effect from and after July 1, 2021.

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*/s/Joint Budget Committee*

**APPROVED: 3/1/21**