

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1658

5 By: Representatives Webb, Allen, D. Altes, Baird, T. Baker, Barnett, Bell, Benedict, Biviano, T.  
6 Bradford, Branscum, J. Brown, J. Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-  
7 Smith, L. Cowling, Dale, Deffenbaugh, J. Dickinson, J. Edwards, E. Elliott, English, Eubanks, Fielding,  
8 Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, D. Hutchinson,  
9 Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love,  
10 Lovell, S. Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Moore, Murdock,  
11 Nickels, B. Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, J. Roebuck, T.  
12 Rogers, Shepherd, Slinkard, G. Smith, Steel, T. Steele, Stewart, Stubblefield, Summers, T. Thompson,  
13 Tyler, Vines, Wagner, Walker, Wardlaw, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright  
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## For An Act To Be Entitled

15 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS  
16 WATERWAYS COMMISSION FOR GENERAL IMPROVEMENT  
17 PROJECTS; AND FOR OTHER PURPOSES.  
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## Subtitle

20 AN ACT FOR THE ARKANSAS WATERWAYS  
21 COMMISSION GENERAL IMPROVEMENT  
22 APPROPRIATION.  
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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29 SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT PROJECTS. There is  
30 hereby appropriated, to the Arkansas Waterways Commission, to be payable from  
31 the General Improvement Fund or its successor fund or fund accounts, the  
32 following:

33 (A) for maintenance and general operations, personal services,  
34 construction, and development of intermodal ports, in a sum not to exceed  
35 .....\$1,000,000.  
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1 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
3 Notwithstanding any other rules, regulations or provision of law to the  
4 contrary the appropriations authorized in this Act shall not be restricted by  
5 requirements that may be applicable to other programs currently administered.  
6 New rules and regulations may be adopted to carry out the intent of the  
7 General Assembly regarding the appropriations authorized in this Act.  
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9 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
10 obligations otherwise incurred in relation to the project or projects  
11 described herein in excess of the State Treasury funds actually available  
12 therefor as provided by law. Provided, however, that institutions and  
13 agencies listed herein shall have the authority to accept and use grants and  
14 donations including Federal funds, and to use its unobligated cash income or  
15 funds, or both available to it, for the purpose of supplementing the State  
16 Treasury funds for financing the entire costs of the project or projects  
17 enumerated herein. Provided further, that the appropriations and funds  
18 otherwise provided by the General Assembly for Maintenance and General  
19 Operations of the agency or institutions receiving appropriation herein shall  
20 not be used for any of the purposes as appropriated in this act.

21 (B) The restrictions of any applicable provisions of the State  
22 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
23 Revenue Stabilization Law and any other applicable fiscal control laws of  
24 this State and regulations promulgated by the Department of Finance and  
25 Administration, as authorized by law, shall be strictly complied with in  
26 disbursement of any funds provided by this act unless specifically provided  
27 otherwise by law.  
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29 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
30 Assembly that any funds disbursed under the authority of the appropriations  
31 contained in this act shall be in compliance with the stated reasons for  
32 which this act was adopted, as evidenced by the Agency Requests, Executive  
33 Recommendations and Legislative Recommendations contained in the budget  
34 manuals prepared by the Department of Finance and Administration, letters, or  
35 summarized oral testimony in the official minutes of the Arkansas Legislative  
36 Council or Joint Budget Committee which relate to its passage and adoption.

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2       SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
3 Assembly, that the Constitution of the State of Arkansas prohibits the  
4 appropriation of funds for more than a one (1) year period; that the  
5 effectiveness of this Act on July 1, 2011 is essential to the operation of  
6 the agency for which the appropriations in this Act are provided, and that in  
7 the event of an extension of the legislative session, the delay in the  
8 effective date of this Act beyond July 1, 2011 could work irreparable harm  
9 upon the proper administration and provision of essential governmental  
10 programs. Therefore, an emergency is hereby declared to exist and this Act  
11 being necessary for the immediate preservation of the public peace, health  
12 and safety shall be in full force and effect from and after July 1, 2011.  
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