

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# **A Bill**

**HOUSE BILL 1942**

## **For An Act To Be Entitled**

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES OF  
9 THE FIRE ANT POISON COST SHARING PROGRAM FOR THE STATE  
10 PLANT BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1995;  
11 AND FOR OTHER PURPOSES."

## **Subtitle**

14 "AN ACT FOR THE STATE PLANT BOARD FIRE ANT APPROPRIATION."

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18 SECTION 1. APPROPRIATIONS - FIRE ANT POISON COST SHARING PROGRAM. There  
19 is hereby appropriated, to the State Plant Board, to be payable from the Plant  
20 Board Fund, for operating expenses of the Fire Ant Poison Cost Sharing Program  
21 by the State Plant Board, the sum of \$150,000 each fiscal year of the biennial  
22 period ending June 30, 1995.

24 SECTION 2. FIRE ANT POISON COST SHARING PROGRAM. There is hereby  
25 established a program to be known as the "Fire Ant Poison Cost Sharing  
26 Program." This program shall be administered by the State Plant Board which  
27 shall have the authority to establish the necessary rules, regulations and  
28 procedures for the administration of the Program.

29 The State Plant Board shall purchase the necessary chemicals for the  
30 eradication of fire ants and distribute such chemicals to the various counties  
31 of the State based upon the requests received from eligible purchasers in the  
32 county.

33 The chemicals made available by the State Plant Board shall become the  
34 responsibility of the county judge who shall oversee the safe storage and  
35 distribution of such chemicals under the direction of the University of

1 Arkansas Cooperative Extension Service.

2       It shall be the duty of the University of Arkansas Cooperative Extension  
3 Service to collect monies received from the distribution and sale of such fire  
4 ant poison chemicals as determined by the State Plant Board, and remit such  
5 monies to the State Plant Board on a monthly basis.

6       The monies generated from the sale of fire ant poison chemicals and  
7 received by the State Plant Board from the University of Arkansas Cooperative  
8 Extension Services, shall be deposited into the State Treasury to the credit  
9 of the Plant Board Fund as a non-revenue receipt refund to expenditure, there  
10 to be used by the State Plant Board to purchase additional fire ant poison  
11 chemicals for distribution to the various counties of the State for fire ant  
12 control.

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14       SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
15 authorized by this Act shall be limited to the appropriation for such agency  
16 and funds made available by law for the support of such appropriations; and  
17 the restrictions of the State Purchasing Law, the General Accounting and  
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
19 Procedures and Restrictions Act, or their successors, and other fiscal control  
20 laws of this State, where applicable, and regulations promulgated by the  
21 Department of Finance and Administration, as authorized by law, shall be  
22 strictly complied with in disbursement of said funds.

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24       SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
25 Assembly that any funds disbursed under the authority of the appropriations  
26 contained in this Act shall be in compliance with the stated reasons for which  
27 this Act was adopted, as evidenced by the Agency Requests, Executive  
28 Recommendations and Legislative Recommendations contained in the budget  
29 manuals prepared by the Department of Finance and Administration, letters, or  
30 summarized oral testimony in the official minutes of the Arkansas Legislative  
31 Council or Joint Budget Committee which relate to its passage and adoption.

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33       SECTION 5. CODE. All provisions of this Act of a general and permanent  
34 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
35 Code Revision Commission shall incorporate the same in the Code.

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SECTION 6. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993.

*/s/John E. Miller*

***As Engrossed: 4/6/93***

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