

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S3/5/99 S3/31/99 S4/1/99

A Bill

SENATE BILL 729

5 By: *Joint Budget Committee*
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
10 WATERWAYS COMMISSION TO PROVIDE MATCHING FUNDS TO BE
11 USED FOR THE FEDERALLY AUTHORIZED WHITE RIVER
12 NAVIGATION IMPROVEMENT PROJECT; AND FOR OTHER
13 PURPOSES. "

Subtitle

15 "AN ACT FOR THE ARKANSAS WATERWAYS
16 COMMISSION - WHITE RIVER NAVIGATION
17 IMPROVEMENT PROJECT CAPITAL IMPROVEMENT
18 APPROPRIATION. "
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. APPROPRIATIONS - WHITE RIVER NAVIGATION IMPROVEMENT PROJECT.
25 There is hereby appropriated, to the Arkansas Waterways Commission, to be
26 payable from the *White River Navigation Fund*, the following:

27 (A) *For providing matching funds to be used for the federally authorized*
28 *White River Navigation Improvement Project for each fiscal year of the*
29 *biennial period ending June 20, 2001, the sum of*
30 \$2,000,000.
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32 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GENERAL
34 IMPROVEMENT FUND TRANSFER. When funds are authorized to be made available
35 through the provisions of the General Improvement Distribution Act of 1999 for
36 the White River Navigation Improvement Project herein and upon meeting all

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1 other conditions as set out by law, the Chief Fiscal Officer of the State and
2 State Treasurer shall transfer the sum of \$4,000,000, or so much thereof as is
3 made available therefrom, from the General Improvement Fund or its fund
4 account to the White River Navigation Fund there to be used for such purposes
5 as appropriated herein.

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7 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
8 obligations otherwise incurred in relation to the project or projects
9 described herein in excess of the State Treasury funds actually available
10 therefor as provided by law. Provided, however, that institutions and
11 agencies listed herein shall have the authority to accept and use grants and
12 donations including Federal funds, and to use its unobligated cash income or
13 funds, or both available to it, for the purpose of supplementing the State
14 Treasury funds for financing the entire costs of the project or projects
15 enumerated herein. Provided further, that the appropriations and funds
16 otherwise provided by the General Assembly for Maintenance and General
17 Operations of the agency or institutions receiving appropriation herein shall
18 not be used for any of the purposes as appropriated in this act.

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

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

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35 SECTION 5. CODE. All provisions of this Act of a general and permanent
36 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas

1 Code Revision Commission shall incorporate the same in the Code.

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

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

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12 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
13 Eighty-second General Assembly, that the Constitution of the State of Arkansas
14 prohibits the appropriation of funds for more than a two (2) year period; that
15 the effectiveness of this Act on July 1, 1999 is essential to the operation of
16 the agency for which the appropriations in this Act are provided, and that in
17 the event of an extension of the Regular Session, the delay in the effective
18 date of this Act beyond July 1, 1999 could work irreparable harm upon the
19 proper administration and provision of essential governmental programs.
20 Therefore, an emergency is hereby declared to exist and this Act being
21 necessary for the immediate preservation of the public peace, health and
22 safety shall be in full force and effect from and after July 1, 1999.

23 /s/ Russ

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