

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.

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

A Bill

HOUSE BILL 1728

5 By: Representative Maloch
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
10 WATERWAYS COMMISSION FOR GENERAL IMPROVEMENT
11 PROJECTS; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 AN ACT FOR THE ARKANSAS WATERWAYS
16 COMMISSION GENERAL IMPROVEMENT
17 APPROPRIATION.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT. There is hereby
23 appropriated, to the Arkansas Waterways Commission, to be payable from the
24 General Improvement Fund or its successor fund or fund accounts, the
25 following:

26 (A) For maintenance and general operations, personal services,
27 construction, and development of intermodal ports, the sum of ..\$1,000,000.
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29 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
30 obligations otherwise incurred in relation to the project or projects
31 described herein in excess of the State Treasury funds actually available
32 therefor as provided by law. Provided, however, that institutions and
33 agencies listed herein shall have the authority to accept and use grants and
34 donations including Federal funds, and to use its unobligated cash income or
35 funds, or both available to it, for the purpose of supplementing the State
36 Treasury funds for financing the entire costs of the project or projects



1 enumerated herein. Provided further, that the appropriations and funds
2 otherwise provided by the General Assembly for Maintenance and General
3 Operations of the agency or institutions receiving appropriation herein shall
4 not be used for any of the purposes as appropriated in this act.

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

11
12 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly
13 that any funds disbursed under the authority of the appropriations contained
14 in this act shall be in compliance with the stated reasons for which this act
15 was adopted, as evidenced by the Agency Requests, Executive Recommendations
16 and Legislative Recommendations contained in the budget manuals prepared by
17 the Department of Finance and Administration, letters, or summarized oral
18 testimony in the official minutes of the Arkansas Legislative Council or
19 Joint Budget Committee which relate to its passage and adoption.

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21 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
22 Assembly, that the Constitution of the State of Arkansas prohibits the
23 appropriation of funds for more than a one (1) year period; that the
24 effectiveness of this Act on July 1, 2009 is essential to the operation of
25 the agency for which the appropriations in this Act are provided, and that in
26 the event of an extension of the Regular Session, the delay in the effective
27 date of this Act beyond July 1, 2009 could work irreparable harm upon the
28 proper administration and provision of essential governmental programs.
29 Therefore, an emergency is hereby declared to exist and this Act being
30 necessary for the immediate preservation of the public peace, health and
31 safety shall be in full force and effect from and after July 1, 2009.