

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

A Bill

SENATE BILL 236

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 ARKANSAS
10 AGRICULTURE DEPARTMENT; AND FOR OTHER PURPOSES.
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Subtitle

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13 AN ACT FOR THE ARKANSAS AGRICULTURE
14 DEPARTMENT 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 - NECROPSY ROOM IMPROVEMENTS. There is
21 hereby appropriated, to the Arkansas Agriculture Department, to be payable
22 from the Livestock and Poultry Special Revenue Fund, for the Arkansas
23 Agriculture Department the following:

24 (A) Effective July 1, 2011, the balance of the appropriation provided
25 in Item (A) Section 7 of Act 192 of 2010, for construction, renovation and
26 equipping of the Necropsy Room at the Livestock and Poultry Diagnostic Lab,
27 in a sum not to exceed.....\$75,000.
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29 SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT FUND. There is hereby
30 appropriated, to the Arkansas Agriculture Department, to be payable from the
31 General Improvement Fund or its successor fund or fund accounts, for the
32 Arkansas Agriculture Department the following:

33 (A) Effective July 1, 2011, the balance of the appropriation provided
34 in Item (B) Section 2 of Act 192 of 2010, for grants for operating and
35 program expenses for annual festivals, in a sum not to exceed.....\$45,000.
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1 SECTION 3. REAPPROPRIATION - PLANT BOARD. There is hereby
2 appropriated, to the Arkansas Agriculture Department, to be payable from the
3 General Improvement Fund or its successor fund or fund accounts, for the
4 Arkansas Agriculture Department the following:

5 (A) Effective July 1, 2011, the balance of the appropriation provided
6 in Item (A) Section 6 of Act 192 of 2010, for the purpose of reducing the
7 current long term debt associated with the implementation of the Arkansas
8 Boll Weevil Eradication Program, in a sum not to exceed.....\$6,000,000.

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10 SECTION 4. REAPPROPRIATION - LIVESTOCK AND POULTRY COMMISSION. There
11 is hereby appropriated, to the Arkansas Agriculture Department, to be payable
12 from the General Improvement Fund or its successor fund or fund accounts, for
13 the Arkansas Agriculture Department the following:

14 (A) Effective July 1, 2011, the balance of the appropriation provided
15 in Item (D) Section 1 of Act 192 of 2010, for show premiums, refunds, and
16 reimbursements for the ARSHS Rodeo Association, in a sum not to exceed
17\$20,000.

18 (B) Effective July 1, 2011, the balance of the appropriation provided
19 in Item (E) Section 1 of Act 192 of 2010, for show premiums, refunds, and
20 reimbursements for 4H Clubs, in a sum not to exceed.....\$20,000.

21 (C) Effective July 1, 2011, the balance of the appropriation provided
22 in Item (F) Section 1 of Act 192 of 2010, for show premiums, refunds and
23 reimbursements for FFA Clubs, in a sum not to exceed.....\$20,000.

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25 SECTION 5. REAPPROPRIATION - ALTERNATIVE FUELS DEVELOPMENT. There is
26 hereby appropriated, to the Arkansas Agriculture Department, to be payable
27 from the General Improvement Fund or its successor fund or fund accounts, for
28 the Arkansas Agriculture Department the following:

29 (A) Effective July 1, 2011, the balance of the appropriation provided
30 in Item (A) Section 4 of Act 192 of 2010, for grants for the Alternative
31 Fuels Development Program, in a sum not to exceed.....\$10,000,000.

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33 SECTION 6. REAPPROPRIATION - FORESTRY COMMISSION. There is hereby
34 appropriated, to the Arkansas Agriculture Department, to be payable from the
35 General Improvement Fund or its successor fund or fund accounts, for the
36 Arkansas Agriculture Department the following:

1 (A) Effective July 1, 2011, the balance of the appropriation provided
2 in Item (G) Section 3 of Act 192 of 2010, to purchase Fire Fighting
3 Equipment, in a sum not to exceed.....\$2,000,000.

4 (B) Effective July 1, 2011, the balance of the appropriation provided
5 in Item (H) Section 3 of Act 192 of 2010, for a Professional Services
6 Contract for Air Tankers to fight wildfires, in a sum not to exceed
7\$750,000.

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9 SECTION 7. REAPPROPRIATION - DAIRY STABILIZATION PROGRAM. There is
10 hereby appropriated, to the Arkansas Agriculture Department, to be payable
11 from the General Improvement Fund or its successor fund or fund accounts, for
12 the Arkansas Agriculture Department the following:

13 (A) Effective July 1, 2011, the balance of the appropriation provided
14 in Item (A) Section 5 of Act 192 of 2010, for Dairy Stabilization Program
15 Payments, milk production and quality incentives, grants and aid, and
16 maintenance and operating expenses, in a sum not to exceed.....\$5,484,508.

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18 SECTION 8. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
19 obligations otherwise incurred in relation to the project or projects
20 described herein in excess of the State Treasury funds actually available
21 therefor as provided by law. Provided, however, that institutions and
22 agencies listed herein shall have the authority to accept and use grants and
23 donations including Federal funds, and to use its unobligated cash income or
24 funds, or both available to it, for the purpose of supplementing the State
25 Treasury funds for financing the entire costs of the project or projects
26 enumerated herein. Provided further, that the appropriations and funds
27 otherwise provided by the General Assembly for Maintenance and General
28 Operations of the agency or institutions receiving appropriation herein shall
29 not be used for any of the purposes as appropriated in this act.

30 (B) The restrictions of any applicable provisions of the State
31 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
32 Revenue Stabilization Law and any other applicable fiscal control laws of
33 this State and regulations promulgated by the Department of Finance and
34 Administration, as authorized by law, shall be strictly complied with in
35 disbursement of any funds provided by this act unless specifically provided
36 otherwise by law.

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SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2011 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 legislative session, the delay in the effective date of this Act beyond July 1, 2011 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, 2011.