

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 690

5 By: Senator Holland
6

For An Act To Be Entitled

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

12
13 AN ACT FOR THE ARKANSAS WATERWAYS
14 COMMISSION - TWELVE-FOOT CHANNEL
15 CERTIFICATION GENERAL IMPROVEMENT
16 APPROPRIATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT PROJECTS - TWELVE-FOOT
23 CHANNEL CERTIFICATION. There is hereby appropriated, to the Arkansas
24 Waterways Commission, to be payable from the General Improvement Fund or its
25 successor fund or fund accounts, the following:

26 (A) for grants or for personal services, operating expenses,
27 professional fees, construction, equipment and related expenses for twelve-
28 foot channel certification on the Arkansas River, in a sum not to
29 exceed.....\$10,000,000.
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31 SECTION 2. APPROPRIATION - GENERAL IMPROVEMENT PROJECTS - TWELVE-FOOT
32 CHANNEL CERTIFICATION - FEDERAL. There is hereby appropriated, to the
33 Arkansas Waterways Commission, to be payable from the federal funds as
34 designated by the Chief Fiscal Officer of the State, the following:

35 (A) for grants or for personal services, operating expenses,
36 professional fees, construction, equipment and related expenses for twelve-



1 foot channel certification on the Arkansas River, in a sum not to
2 exceed.....\$10,000,000.

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4 SECTION 3. APPROPRIATION - GENERAL IMPROVEMENT PROJECTS - TWELVE-FOOT
5 CHANNEL CERTIFICATION - CASH. There is hereby appropriated, to the Arkansas
6 Waterways Commission, to be payable from the cash funds as defined by
7 Arkansas Code 19-4-801, the following:

8 (A) for grants or for personal services, operating expenses,
9 professional fees, construction, equipment and related expenses for twelve-
10 foot channel certification on the Arkansas River, in a sum not to
11 exceed.....\$10,000,000.

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13 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
15 Notwithstanding any other rules, regulations or provision of law to the
16 contrary the appropriations authorized in this Act shall not be restricted by
17 requirements that may be applicable to other programs currently administered.
18 New rules and regulations may be adopted to carry out the intent of the
19 General Assembly regarding the appropriations authorized in this Act.

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21 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
22 obligations otherwise incurred in relation to the project or projects
23 described herein in excess of the State Treasury funds actually available
24 therefor as provided by law. Provided, however, that institutions and
25 agencies listed herein shall have the authority to accept and use grants and
26 donations including Federal funds, and to use its unobligated cash income or
27 funds, or both available to it, for the purpose of supplementing the State
28 Treasury funds for financing the entire costs of the project or projects
29 enumerated herein. Provided further, that the appropriations and funds
30 otherwise provided by the General Assembly for Maintenance and General
31 Operations of the agency or institutions receiving appropriation herein shall
32 not be used for any of the purposes as appropriated in this act.

33 (B) The restrictions of any applicable provisions of the State Purchasing
34 Law, the General Accounting and Budgetary Procedures Law, the Revenue
35 Stabilization Law and any other applicable fiscal control laws of this State
36 and regulations promulgated by the Department of Finance and Administration,

1 as authorized by law, shall be strictly complied with in disbursement of any
2 funds provided by this act unless specifically provided otherwise by law.

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4 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
5 Assembly that any funds disbursed under the authority of the appropriations
6 contained in this act shall be in compliance with the stated reasons for
7 which this act was adopted, as evidenced by the Agency Requests, Executive
8 Recommendations and Legislative Recommendations contained in the budget
9 manuals prepared by the Department of Finance and Administration, letters, or
10 summarized oral testimony in the official minutes of the Arkansas Legislative
11 Council or Joint Budget Committee which relate to its passage and adoption.

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13 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
14 Assembly, that the Constitution of the State of Arkansas prohibits the
15 appropriation of funds for more than a one (1) year period; that the
16 effectiveness of this Act on July 1, 2013 is essential to the operation of
17 the agency for which the appropriations in this Act are provided, and that in
18 the event of an extension of the legislative session, the delay in the
19 effective date of this Act beyond July 1, 2013 could work irreparable harm
20 upon the proper administration and provision of essential governmental
21 programs. Therefore, an emergency is hereby declared to exist and this Act
22 being necessary for the immediate preservation of the public peace, health
23 and safety shall be in full force and effect from and after July 1, 2013.