

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 268

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.
11

Subtitle

12
13 AN ACT FOR THE ARKANSAS AGRICULTURE
14 DEPARTMENT REAPPROPRIATION.
15
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUND PROJECTS.

21 There is hereby appropriated, to the Arkansas Agriculture Department, to be
22 payable from the Development and Enhancement Fund, for the Arkansas
23 Agriculture Department the following:

24 (A) Effective July 1, 2021, the balance of the appropriation provided
25 in Item (A) of Section 27 of Act 109 of 2020, for various maintenance,
26 renovation, equipping, professional services contracts for air tankers,
27 construction, acquisition, improvement, upgrade, and repair of real property
28 and facilities, personal services and operational expenses related to
29 agricultural disasters, in a sum not to exceed\$14,929.

30 (B) Effective July 1, 2021, the balance of the appropriation provided
31 in Item (B) of Section 1 of Act 109 of 2020, for various maintenance,
32 renovation, equipping, professional services contracts for air tankers,
33 construction, acquisition, improvement, upgrade, and repair of real property
34 and facilities, in a sum not to exceed\$22,210.

35 (C) Effective July 1, 2021, the balance of the appropriation provided
36 in Item (C) of Section 1 of Act 109 of 2020, for various maintenance,



1 renovation, equipping, professional services contracts for air tankers,
2 construction, acquisition, improvement, upgrade and repair of real property
3 and facilities, in a sum not to exceed\$10,000,000.

4 (D) Effective July 1, 2021, the balance of the appropriation provided
5 in Item (D) of Section 1 of Act 109 of 2020, for various maintenance,
6 renovation, equipping, professional services contracts for air tankers,
7 construction, acquisition, improvement, upgrade, repair of real property and
8 facilities, personal services and operating expenses related to agriculture
9 disasters, in a sum not to exceed\$10,000,000.

10 (E) Effective July 1, 2021, the balance of the appropriation provided
11 in Item (E) of Section 1 of Act 109 of 2020, for construction, renovation,
12 repairs and equipping of new office space, laboratories, and support
13 facilities for the Department of Agriculture, in a sum not to exceed
14\$6,000,000.

15 (F) Effective July 1, 2021, the balance of the appropriation provided
16 in Item (F) of Section 1 of Act 109 of 2020, for IT software, in a sum not to
17 exceed\$300,000.

18 (G) Effective July 1, 2021, the balance of the appropriation provided
19 in Item (G) of Section 1 of Act 109 of 2020, for various maintenance,
20 renovation, equipping, professional services contracts for air tankers,
21 construction, acquisition, improvement, upgrade, and repair of real property
22 and facilities for the Arkansas Forestry Commission, in a sum not to exceed
23\$1,000,000.

24 (H) Effective July 1, 2021, the balance of the appropriation provided
25 in Item (I) of Section 1 of Act 109 of 2020, for purchase and replacement of
26 aging and outdated laboratory equipment for the Agriculture Department
27 Laboratory, in a sum not to exceed\$450,000.

28 (I) Effective July 1, 2021, the balance of the appropriation provided
29 in Item (J) of Section 1 of Act 109 of 2020, for grants or low interest loans
30 to pay for the debts associated with the Arkansas Boll Weevil Suppression
31 Eradication, in a sum not to exceed\$13,800,000.

32 (J) Effective July 1, 2021, the balance of the appropriation provided
33 in Item (K) of Section 1 of Act 109 of 2020, for renovations and replacement
34 furnishings for the Department of Agriculture, in a sum not to exceed
35\$350,000.

36

1 SECTION 2. REAPPROPRIATION - BOND PROCEEDS. There is hereby
2 appropriated, to the Arkansas Agriculture Department, to be payable from the
3 Bond Proceeds, for the Arkansas Agriculture Department the following:

4 (A) Effective July 1, 2021, the balance of the appropriation provided
5 in Item (A) of Section 2 of Act 109 of 2020, for construction of New Office
6 Space, Laboratories and Support Facilities for the Department of Agriculture,
7 in a sum not to exceed\$60,000,000.

8 (B) Effective July 1, 2021, the balance of the appropriation provided
9 in Item (B) of Section 2 of Act 109 of 2020, for construction, renovation,
10 repairs and equipping of new office space, laboratories, and support
11 facilities for the Department of Agriculture, in a sum not to exceed
12\$60,000,000.
13

14 SECTION 3. REAPPROPRIATION - NECROPSY ROOM IMPROVEMENTS. There is
15 hereby appropriated, to the Arkansas Agriculture Department, to be payable
16 from the Livestock and Poultry Special Revenue Fund, for the Arkansas
17 Agriculture Department the following:

18 (A) Effective July 1, 2021, the balance of the appropriation provided
19 in Item (A) of Section 3 of Act 109 of 2020, for construction, renovation and
20 equipping of the Necropsy Room at the Livestock and Poultry Diagnostic Lab,
21 in a sum not to exceed\$69,563.
22

23 SECTION 4. REAPPROPRIATION - NATURAL AND CULTURAL RESOURCES COUNCIL -
24 STATE OWNED LANDS OR HISTORIC SITES. There is hereby appropriated, to the
25 Arkansas Agriculture Department, to be payable from the Arkansas Natural and
26 Cultural Resources Grant and Trust Fund, for the Arkansas Agriculture
27 Department the following:

28 (A) Effective July 1, 2021, the balance of the appropriation provided
29 in Item (A) of Section 27 of Act 18 of 2020, for acquisition, management,
30 stewardship or preservation of state owned lands, historic sites, buildings,
31 structures or objects, in a sum not to exceed\$1,606,459.
32

33 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
34 obligations otherwise incurred in relation to the project or projects
35 described herein in excess of the State Treasury funds actually available
36 therefor as provided by law. Provided, however, that institutions and

1 agencies listed herein shall have the authority to accept and use grants and
 2 donations including Federal funds, and to use its unobligated cash income or
 3 funds, or both available to it, for the purpose of supplementing the State
 4 Treasury funds for financing the entire costs of the project or projects
 5 enumerated herein. Provided further, that the appropriations and funds
 6 otherwise provided by the General Assembly for Maintenance and General
 7 Operations of the agency or institutions receiving appropriation herein shall
 8 not be used for any of the purposes as appropriated in this act.

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

16
 17 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
 18 Assembly that any funds disbursed under the authority of the appropriations
 19 contained in this act shall be in compliance with the stated reasons for
 20 which this act was adopted, as evidenced by the Agency Requests, Executive
 21 Recommendations and Legislative Recommendations contained in the budget
 22 manuals prepared by the Department of Finance and Administration, letters, or
 23 summarized oral testimony in the official minutes of the Arkansas Legislative
 24 Council or Joint Budget Committee which relate to its passage and adoption.

25
 26 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
 27 Assembly, that the Constitution of the State of Arkansas prohibits the
 28 appropriation of funds for more than a one (1) year period; that the
 29 effectiveness of this Act on July 1, 2021 is essential to the operation of
 30 the agency for which the appropriations in this Act are provided, and that in
 31 the event of an extension of the legislative session, the delay in the
 32 effective date of this Act beyond July 1, 2021 could work irreparable harm
 33 upon the proper administration and provision of essential governmental
 34 programs. Therefore, an emergency is hereby declared to exist and this Act
 35 being necessary for the immediate preservation of the public peace, health
 36 and safety shall be in full force and effect from and after July 1, 2021.