

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 461

By: Senator Teague

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
NATURAL RESOURCES COMMISSION FOR GENERAL IMPROVEMENT
PROJECTS AND FUNDING TRANSFER; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS NATURAL RESOURCES
COMMISSION - GENERAL IMPROVEMENT PROJECTS
GENERAL IMPROVEMENT APPROPRIATION.

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

SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT PROJECTS AND FUNDING
TRANSFER. There is hereby appropriated, to the Arkansas Natural Resources
Commission, to be payable from the General Improvement Fund or its successor
fund or fund accounts, the following:

(A) for a transfer to the Red River Waterways Project Trust Fund for
costs associated with the Red River Waterway project, in a sum not to exceed
.....\$10,000,000.

(B) for grants and loans for construction, repairs, purchase of
equipment, land acquisition, fees, administrative costs, operating,
improvements, professional fees and services, in a sum not to exceed
.....\$10,000,000.

(C) for grants for construction, repairs, purchase of equipment, land
acquisition, fees, administrative costs, operating, improvements,
professional fees and services and other related costs for water and waste
water projects, levee repair, rehabilitation and maintenance projects, flood



control and drainage projects, fire protection services, and irrigation projects, in a sum not to exceed.....\$10,000,000.

SECTION 2. APPROPRIATION - RED RIVER WATERWAY PROJECT. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Red River Waterways Project Trust Fund, the following:

(A) for costs associated with the Red River Waterway project, in a sum not to exceed.....\$10,000,000.

SECTION 3. SPECIAL LANGUAGE. Notwithstanding any other rules, regulations or provision of law to the contrary the appropriations authorized in this Act shall not be restricted by requirements that may be applicable to other programs currently administered. New rules and regulations may be adopted to carry out the intent of the General Assembly regarding the appropriations authorized in this Act.

SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and agencies listed herein shall have the authority to accept and use grants and donations including Federal funds, and to use its unobligated cash income or funds, or both available to it, for the purpose of supplementing the State Treasury funds for financing the entire costs of the project or projects enumerated herein. Provided further, that the appropriations and funds otherwise provided by the General Assembly for Maintenance and General Operations of the agency or institutions receiving appropriation herein shall not be used for any of the purposes as appropriated in this act.

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

SECTION 5. 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 6. 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, 2017 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, 2017 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, 2017.