

Stricken language will be deleted and underlined language will be added.

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: S2/9/21
A Bill

SENATE BILL 268

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE *DEPARTMENT OF*
AGRICULTURE; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE *DEPARTMENT OF AGRICULTURE*
REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUND PROJECTS.
There is hereby appropriated, to the *Department of Agriculture*, to be payable
from the Development and Enhancement Fund, for the *Department of Agriculture*
the following:

(A) Effective July 1, 2021, the balance of the appropriation provided
in Item (A) of Section 1 of Act 109 of 2020, for various maintenance,
renovation, equipping, professional services contracts for air tankers,
construction, acquisition, improvement, upgrade, and repair of real property
and facilities, personal services and operational expenses related to
agricultural disasters, in a sum not to exceed\$14,926.

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 5. 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 6. 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 7. 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, 2021 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, 2021 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, 2021.

/s/Joint Budget Committee