

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1016

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 NATURAL RESOURCES COMMISSION; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE ARKANSAS NATURAL RESOURCES
15 COMMISSION REAPPROPRIATION.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
22 appropriated, to the Arkansas Natural Resources Commission, to be payable
23 from the General Improvement Fund or its successor fund or fund accounts, for
24 the Arkansas Natural Resources Commission the following:

25 (A) Effective July 1, 2012, the balance of the appropriation provided
26 in Item (A) Section 1 of Act 540 of 2011, for a transfer to the Water
27 Development Fund for loans/grants to communities for water services, in a sum
28 not to exceed.....\$4,000,000.

29 (B) Effective July 1, 2012, the balance of the appropriation provided
30 in Item (B) Section 1 of Act 540 of 2011, for a transfer to the Water, Sewer
31 and Solid Waste Fund for loans/grants to local communities to fund safe,
32 affordable water, sewage and solid waste disposal for their citizens and
33 commercial users, in a sum not to exceed.....\$4,000,000.

34 (C) Effective July 1, 2012, the balance of the appropriation provided
35 in Item (C) Section 1 of Act 540 of 2011, for a transfer to the Water
36 Resources Cost Share Revolving Fund to provide funding to the state and its



1 political subdivisions to finance the non-federal share of their obligations
2 in regard to a water resources development project, in a sum not to exceed
3\$100,000,000.

4 (D) Effective July 1, 2012, the balance of the appropriation provided
5 in Item (D) Section 1 of Act 540 of 2011, for a transfer to the Drinking
6 Water State Revolving Fund for the EPA Drinking Water Program, in a sum not
7 to exceed.....\$5,000,000.

8 (E) Effective July 1, 2012, the balance of the appropriation provided
9 in Item (E) Section 1 of Act 540 of 2011, for a transfer to the Clean Water
10 State Revolving Fund for the EPA Program for sewer projects, in a sum not to
11 exceed.....\$5,000,000.

12 (F) Effective July 1, 2012, the balance of the appropriation provided
13 in Item (F) Section 1 of Act 540 of 2011, for development of the State Water
14 Plan, in a sum not to exceed.....\$4,000,000.

15 (G) Effective July 1, 2012, the balance of the appropriation provided
16 in Item (G) Section 1 of Act 540 of 2011, for a transfer to the Ouachita
17 River Waterway Trust Fund for grants for projects approved through the
18 Ouachita River Commission for river based recreation projects in the Ouachita
19 River area, in a sum not to exceed.....\$500,000.

20 (H) Effective July 1, 2012, the balance of the appropriation provided
21 in Item (A) Section 1 of Act 77 of 2011, for project expenses of the Illinois
22 River Conservation Reserve Improvement Program, in a sum not to exceed
23\$1,495,000.

24 (I) Effective July 1, 2012, the balance of the appropriation provided
25 in Item (A) Section 1 of Act 649 of 2011, for grants for construction,
26 repairs, purchase of equipment, land acquisition, fees, administrative costs,
27 operating, improvements, professional fees and services, and other related
28 costs for sewer, water and waste water projects, levee repair, rehabilitation
29 and maintenance projects, flood control and drainage projects, fire
30 protection services, and irrigation projects, in a sum not to exceed
31\$500,000.

32 (J) Effective July 1, 2012, the balance of the appropriation provided
33 in Item (A) Section 1 of Act 356 of 2011, for grants for construction,
34 repairs, purchase of equipment, land acquisition, fees, administrative costs,
35 operating, improvements, professional fees and services, and other related
36 costs for water and waste water projects, levee repair, rehabilitation and

1 maintenance projects, flood control and drainage projects, fire protection
2 services, and irrigation projects, in a sum not to exceed.....\$175,000.

3 (K) Effective July 1, 2012, the balance of the appropriation provided
4 in Item (A) Section 1 of Act 413 of 2011, for grants for construction,
5 repairs, purchase of equipment, land acquisition, fees, administrative costs,
6 operating, improvements, professional fees and services, and other related
7 costs for water and waste water projects, levee repair, rehabilitation and
8 maintenance projects, flood control and drainage projects, fire protection
9 services, and irrigation projects, in a sum not to exceed.....\$1,000,000.

10 (L) Effective July 1, 2012, the balance of the appropriation provided
11 in Item (A) Section 1 of Act 666 of 2011, for grants for construction,
12 repairs, purchase of equipment, land acquisition, fees, administrative costs,
13 operating, improvements, professional fees and services, and other related
14 costs for water and waste water projects, levee repair, rehabilitation and
15 maintenance projects, flood control and drainage projects, fire protection
16 services, and irrigation projects, in a sum not to exceed.....\$500,000.

17 (M) Effective July 1, 2012, the balance of the appropriation provided
18 in Item (A) Section 1 of Act 435 of 2011, for grants for construction,
19 repairs, purchase of equipment, land acquisition, fees, administrative costs,
20 operating, improvements, professional fees and services, and other related
21 costs for water and waste water projects, levee repair, rehabilitation and
22 maintenance projects, flood control and drainage projects, fire protection
23 services, and irrigation projects, in a sum not to exceed.....\$200,000.
24

25 SECTION 2. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to
26 the Arkansas Natural Resources Commission, to be payable from the federal
27 funds as designated by the Chief Fiscal Officer of the State, for the
28 Arkansas Natural Resources Commission the following:

29 (A) Effective July 1, 2012, the balance of the appropriation provided
30 in Item (A) Section 2 of Act 540 of 2011, for a transfer to the Water
31 Resources Cost Share Revolving Fund to provide funding to the state and its
32 political subdivisions to finance the non-federal share of their obligations
33 in regard to a water resources development project, in a sum not to exceed
34\$560,000,000.

35 (B) Effective July 1, 2012, the balance of the appropriation provided
36 in Item (B) Section 2 of Act 540 of 2011, for a transfer to the Drinking

1 Water State Revolving Fund for the EPA Drinking Water Program, in a sum not
2 to exceed.....\$20,000,000.

3 (C) Effective July 1, 2012, the balance of the appropriation provided
4 in Item (C) Section 2 of Act 540 of 2011, for a transfer to the Clean Water
5 State Revolving Fund for the EPA Program for sewer projects, in a sum not to
6 exceed.....\$25,000,000.

7

8 SECTION 3. REAPPROPRIATION - CASH. There is hereby appropriated, to
9 the Arkansas Natural Resources Commission, to be payable from the cash fund
10 deposited in the State Treasury as determined by the Chief Fiscal Officer of
11 the State, for the Arkansas Natural Resources Commission the following:

12 (A) Effective July 1, 2012, the balance of the appropriation provided
13 in Item (A) Section 3 of Act 540 of 2011, for a transfer to the Water
14 Development Fund for loans/grants to communities for water services, in a sum
15 not to exceed.....\$2,000,000.

16 (B) Effective July 1, 2012, the balance of the appropriation provided
17 in Item (B) Section 3 of Act 540 of 2011, for a transfer to the Water, Sewer
18 and Solid Waste Fund for loans/grants to local communities to fund safe,
19 affordable water, sewage and solid waste disposal for their citizens and
20 commercial users, in a sum not to exceed.....\$2,000,000.

21

22 SECTION 4. REAPPROPRIATION - BOND PROCEEDS. There is hereby
23 appropriated, to the Arkansas Natural Resources Commission, to be payable
24 from the Bond Proceeds, for the Arkansas Natural Resources Commission the
25 following:

26 (A) Effective July 1, 2012, the balance of the appropriation provided
27 in Item (A) Section 4 of Act 540 of 2011, for a transfer to the Water
28 Resources Cost Share Revolving Fund to provide funding to the state and its
29 political subdivisions to finance the non-federal share of their obligations
30 in regard to a water resources development project, in a sum not to exceed
31\$350,000,000.

32

33 SECTION 5. REAPPROPRIATION - TRUST FUNDS. There is hereby
34 appropriated, to the Arkansas Natural Resources Commission, to be payable
35 from the Ouachita River Waterways Project Trust Fund, for the Arkansas
36 Natural Resources Commission the following:

1 (A) Effective July 1, 2012, the balance of the appropriation provided
2 in Item (A) Section 5 of Act 540 of 2011, for grants for projects approved
3 through the Ouachita River Commission for river based recreation projects in
4 the Ouachita River area, in a sum not to exceed.....\$2,000,000.

5
6 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
7 obligations otherwise incurred in relation to the project or projects
8 described herein in excess of the State Treasury funds actually available
9 therefor as provided by law. Provided, however, that institutions and
10 agencies listed herein shall have the authority to accept and use grants and
11 donations including Federal funds, and to use its unobligated cash income or
12 funds, or both available to it, for the purpose of supplementing the State
13 Treasury funds for financing the entire costs of the project or projects
14 enumerated herein. Provided further, that the appropriations and funds
15 otherwise provided by the General Assembly for Maintenance and General
16 Operations of the agency or institutions receiving appropriation herein shall
17 not be used for any of the purposes as appropriated in this act.

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

25
26 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this act shall be in compliance with the stated reasons for
29 which this act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.

34
35 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a one (1) year period; that the
2 effectiveness of this Act on July 1, 2012 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the legislative session, the delay in the
5 effective date of this Act beyond July 1, 2012 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health
9 and safety shall be in full force and effect from and after July 1, 2012.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36