

1 State of Arkansas  
2 89th General Assembly  
3 Fiscal Session, 2014  
4

# A Bill

SENATE BILL 33

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 WATERWAYS  
10 COMMISSION; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 AN ACT FOR THE ARKANSAS WATERWAYS  
14 COMMISSION REAPPROPRIATION.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT PROJECTS - TWELVE-FOOT  
21 CHANNEL CERTIFICATION - FEDERAL. There is hereby appropriated, to the  
22 Arkansas Waterways Commission, to be payable from the federal funds as  
23 designated by the Chief Fiscal Officer of the State, for the Arkansas  
24 Waterways Commission the following:

25 (A) Effective July 1, 2014, the balance of the appropriation provided  
26 in Item (A) Section 2 of Act 895 of 2013, for grants or for personal  
27 services, operating expenses, professional fees, construction, equipment and  
28 related expenses for twelve-foot channel certification on the Arkansas River,  
29 in a sum not to exceed.....\$10,000,000.  
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31 SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT PROJECTS - TWELVE-FOOT  
32 CHANNEL CERTIFICATION - CASH. There is hereby appropriated, to the Arkansas  
33 Waterways Commission, to be payable from the cash funds as defined by  
34 Arkansas Code 19-4-801, for the Arkansas Waterways Commission the following:

35 (A) Effective July 1, 2014, the balance of the appropriation provided  
36 in Item (A) Section 3 of Act 895 of 2013, for grants or for personal



1 services, operating expenses, professional fees, construction, equipment and  
2 related expenses for twelve-foot channel certification on the Arkansas River,  
3 in a sum not to exceed.....\$10,000,000.  
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5 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
6 obligations otherwise incurred in relation to the project or projects  
7 described herein in excess of the State Treasury funds actually available  
8 therefor as provided by law. Provided, however, that institutions and  
9 agencies listed herein shall have the authority to accept and use grants and  
10 donations including Federal funds, and to use its unobligated cash income or  
11 funds, or both available to it, for the purpose of supplementing the State  
12 Treasury funds for financing the entire costs of the project or projects  
13 enumerated herein. Provided further, that the appropriations and funds  
14 otherwise provided by the General Assembly for Maintenance and General  
15 Operations of the agency or institutions receiving appropriation herein shall  
16 not be used for any of the purposes as appropriated in this act.

17 (B) The restrictions of any applicable provisions of the State Purchasing  
18 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
19 Stabilization Law and any other applicable fiscal control laws of this State  
20 and regulations promulgated by the Department of Finance and Administration,  
21 as authorized by law, shall be strictly complied with in disbursement of any  
22 funds provided by this act unless specifically provided otherwise by law.  
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24 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
25 Assembly that any funds disbursed under the authority of the appropriations  
26 contained in this act shall be in compliance with the stated reasons for  
27 which this act was adopted, as evidenced by the Agency Requests, Executive  
28 Recommendations and Legislative Recommendations contained in the budget  
29 manuals prepared by the Department of Finance and Administration, letters, or  
30 summarized oral testimony in the official minutes of the Arkansas Legislative  
31 Council or Joint Budget Committee which relate to its passage and adoption.  
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33 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
34 Assembly, that the Constitution of the State of Arkansas prohibits the  
35 appropriation of funds for more than a one (1) year period; that the  
36 effectiveness of this Act on July 1, 2014 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in  
2 the event of an extension of the legislative session, the delay in the  
3 effective date of this Act beyond July 1, 2014 could work irreparable harm  
4 upon the proper administration and provision of essential governmental  
5 programs. Therefore, an emergency is hereby declared to exist and this Act  
6 being necessary for the immediate preservation of the public peace, health  
7 and safety shall be in full force and effect from and after July 1, 2014.

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