

Act 56 of the First Special Session of 1989.

Act 56

SB55

By: Joint Budget Committee

For An Act To Be Entitled
"AN ACT TO MAKE AN APPROPRIATION TO THE SOIL AND WATER
CONSERVATION COMMISSION FOR PROVIDING SUPPLEMENTAL
LONG-TERM LOANS AND GRANTS TO ENTITIES OF GOVERNMENT;
AND FOR OTHER PURPOSES."

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

SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby appropriated to the Soil and Water Conservation Commission for cities, water associations, regional water districts, and counties for planning and construction of water resource development projects including but not limited to public water supply, irrigation, flood control/drainage and recreation projects, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

- (A) For water development projects, the sum of..... \$2,000,000.
- (B) For water, sewer, and solid waste projects, the sum of .. \$3,500,000.
- (C) For the Fourche Bayou Flood Control Project, the sum of.. \$ 278,286.
- (D) For the Mill Bayou Flood Control Project, the sum of \$257,000.
- (E) For the Eight Mile Creek Flood Control Project, the sum of .. \$491,400.
- (F) For the Dark Hollow Flood Control Project, the sum of \$400,000.
- (G) For the Ten and Fifteen Mile Bayou Flood Control Project, the sum of ..
..... \$500,000.

SECTION 2. TRANSFER PROVISION. Immediately upon approval of the Governor, there is hereby authorized to be transferred upon the books and records of the Chief Fiscal Officer of the State, the State Treasurer, and the State Auditor, the sum of Five Hundred Thousand Dollars (\$500,000) from the General Improvement Fund to the Red River Waterways Project Trust Fund.

SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded or 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 the 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, and/or funds available to it, for the purpose of supplementing the said State Treasury funds for financing the entire costs of said project or projects. Provided further, that the appropriations and funds otherwise provided by the General Assembly for maintenance and general operation of the said Institutions and Agencies shall not be used for any of the purposes set out in this Act.

(B) The General Accounting Procedures Law, the State Purchasing Law, the Revenue Stabilization Law, and other applicable fiscal laws of the State, or their successors, shall be strictly complied with, with respect to use of any funds provided by this Act.

SECTION 4. 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 5. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code. Act 982 of 1989 is hereby repealed.

SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1989 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, 1989.

APPROVED: June 23, 1989
