

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.
Act 158 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 268

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

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9 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
10 DEPARTMENT OF ENVIRONMENTAL QUALITY FOR WATER
11 QUALITY MONITORING AND ASSESSMENT; AND FOR OTHER
12 PURPOSES.
13

Subtitle

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16 AN ACT FOR THE ARKANSAS DEPARTMENT OF
17 ENVIRONMENTAL QUALITY - WATER QUALITY
18 MONITORING AND ASSESSMENT GENERAL
19 IMPROVEMENT APPROPRIATION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. APPROPRIATIONS - WATER QUALITY MONITORING AND ASSESSMENT.

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25 There is hereby appropriated, to the Arkansas Department of Environmental
26 Quality, to be payable from the General Improvement Fund or its successor
27 fund or fund accounts, the following:

28 (A) For contract services to complete the Total Maximum Daily Load (TMDL)
29 for all impaired waters of the State to meet the water quality standards of
30 the Federal Clean Water Act, the sum of\$400,000.
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32 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
33 obligations otherwise incurred in relation to the project or projects
34 described herein in excess of the State Treasury funds actually available
35 therefor as provided by law. Provided, however, that institutions and



1 agencies listed herein shall have the authority to accept and use grants and
2 donations including Federal funds, and to use its unobligated cash income or
3 funds, or both available to it, for the purpose of supplementing the State
4 Treasury funds for financing the entire costs of the project or projects
5 enumerated herein. Provided further, that the appropriations and funds
6 otherwise provided by the General Assembly for Maintenance and General
7 Operations of the agency or institutions receiving appropriation herein shall
8 not be used for any of the purposes as appropriated in this act.

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

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16 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly
17 that any funds disbursed under the authority of the appropriations contained
18 in this act shall be in compliance with the stated reasons for which this act
19 was adopted, as evidenced by the Agency Requests, Executive Recommendations
20 and Legislative Recommendations contained in the budget manuals prepared by
21 the Department of Finance and Administration, letters, or summarized oral
22 testimony in the official minutes of the Arkansas Legislative Council or
23 Joint Budget Committee which relate to its passage and adoption.

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25 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
26 Assembly, that the Constitution of the State of Arkansas prohibits the
27 appropriation of funds for more than a two (2) year period; that the
28 effectiveness of this Act on July 1, 2005 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the Regular Session, the delay in the effective
31 date of this Act beyond July 1, 2005 could work irreparable harm upon the
32 proper administration and provision of essential governmental programs.
33 Therefore, an emergency is hereby declared to exist and this Act being
34 necessary for the immediate preservation of the public peace, health and
35 safety shall be in full force and effect from and after July 1, 2005.

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APPROVED: 2/11/2005