

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H2/21/97

A Bill

ACT 304 OF 1997
HOUSE BILL 1512

5 *By: Joint Budget Committee*
6
7

For An Act To Be Entitled

9 "AN ACT TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED TWELVE
10 MILLION TWENTY-FIVE THOUSAND DOLLARS (\$12,025,000) OF
11 ADDITIONAL STATE OF ARKANSAS WATER RESOURCES DEVELOPMENT
12 GENERAL OBLIGATION BONDS DURING THE 1995-1997 FISCAL
13 BIENNIUM ENDING JUNE 30, 1997; AND TO AUTHORIZE THE
14 ISSUANCE OF NOT TO EXCEED TWENTY-FOUR MILLION SEVEN
15 HUNDRED THOUSAND DOLLARS (\$24,700,000) OF STATE OF
16 ARKANSAS WATER RESOURCES DEVELOPMENT GENERAL OBLIGATION
17 BONDS DURING THE 1997-1999 FISCAL BIENNIUM ENDING JUNE 30,
18 1999 PURSUANT TO THE ARKANSAS WATER RESOURCES DEVELOPMENT
19 ACT OF 1981 (CODIFIED AS ARKANSAS CODE OF 1987 ANNOTATED
20 SECTIONS 15-22-601 THROUGH 15-22-622); PRESCRIBING OTHER
21 MATTERS RELATED THERETO; DECLARING AN EMERGENCY; AND FOR
22 OTHER PURPOSES."

Subtitle

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24
25 "TO AUTHORIZE THE ISSUANCE OF ADDITIONAL
26 STATE OF ARKANSAS WATER RESOURCES
27 DEVELOPMENT GENERAL OBLIGATION BONDS."
28

29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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31 SECTION 1. The General Assembly finds:

32 (a) that the Arkansas Water Resources Development Act of 1981 (codified
33 as Arkansas Code of 1987 Annotated Sections 15-22-601 through 602) (the "1981
34 Act") authorized the Arkansas Soil and Water Conservation Commission (the
35 "Commission") to issue on behalf of the State of Arkansas the State of
36 Arkansas Water Resources Development General Obligation Bonds (the "Bonds") in

1 a total principal amount of not exceeding one hundred million dollars
2 (\$100,000,000), as approved by the voters of the State of Arkansas at the
3 general election held November 2, 1982;

4 (b) that Section 2(b) of the 1981 Act (which is codified as Arkansas
5 Code Annotated Section 15-22-606) provides that the total principal amount of
6 Bonds which may be issued during any fiscal biennium shall not exceed fifteen
7 million dollars (\$15,000,000), unless the General Assembly shall, by law, have
8 authorized a greater principal amount thereof to be issued during a fiscal
9 biennium;

10 (c) that pursuant to the provisions of Act No. 5 of the First
11 Extraordinary Session of the Eightieth General Assembly, approved October 19,
12 1995, the General Assembly authorized the issuance of not to exceed thirty
13 million dollars (\$30,000,000) of State of Arkansas Water Resources Development
14 General Obligation Bonds during the fiscal biennium ending June 30, 1997, of
15 which two million nine hundred seventy-five thousand dollars (\$2,975,000)
16 remains authorized, but not issued;

17 (d) that current interest rates for the Bonds make potential debt
18 service savings available to the State through the issuance of Bonds by the
19 Commission to refund previously issued Bonds;

20 (e) that demands for proceeds of the Bonds to develop new water
21 projects is higher than projected; and

22 (f) that the fifteen million dollars (\$15,000,000) provided for in
23 Section 2(b) of the 1981 Act may not be sufficient to meet the refunding and
24 new project needs of the State for the remainder of the fiscal biennium ending
25 June 30, 1997, or for the 1997-1999 fiscal biennium ending June 30, 1999.

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27 SECTION 2. (a) Pursuant to the provisions of Section 2(b) of the 1981
28 Act, the Commission is authorized to issue Bonds, including refunding Bonds,
29 under the 1981 Act in one (1) or more series in the additional amount of
30 twelve million twenty-five thousand dollars (\$12,025,000) (which together with
31 the unissued balance of the authority granted pursuant to Act No. 5 of the
32 First Extraordinary Session of the Eightieth General Assembly approved October
33 19, 1995, in the amount of two million nine hundred seventy-five thousand
34 dollars (\$2,975,000) shall equal in the aggregate, authority of not to exceed
35 fifteen million dollars (\$15,000,000)), in principal amount during the
36 remainder of the fiscal biennium ending June 30, 1997;

1 (b) Pursuant to the provisions of Section 2(b) of the 1981 Act, the
2 Commission is authorized to issue Bonds, including refunding Bonds, under the
3 1981 Act in one (1) or more series not to exceed an aggregate of twenty-four
4 million seven hundred thousand dollars (\$24,700,000) in principal amount
5 during the fiscal biennium ending June 30, 1999.

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7 SECTION 3. The applicability of this Act is limited solely to (i)
8 remainder of the fiscal biennium beginning on the effective date of this Act
9 and ending June 30, 1997, and (ii) the fiscal biennium commencing on July 1,
10 1997 and ending June 30, 1999, and shall not apply to any fiscal biennium
11 commencing on and after July 1, 1999, as to which Section 2(b) of the 1981 Act
12 shall apply unless otherwise provided by law.

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14 SECTION 4. All provisions of this act of a general and permanent nature
15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
16 Revision Commission shall incorporate the same in the Code.

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18 SECTION 5. If any provision of this act or the application thereof to
19 any person or circumstance is held invalid, such invalidity shall not affect
20 other provisions or applications of the act which can be given effect without
21 the invalid provision or application, and to this end the provisions of this
22 act are declared to be severable.

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24 SECTION 6. All laws and parts of laws in conflict with this act are
25 hereby repealed.

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27 SECTION 7. EMERGENCY. It is hereby found and determined by the General
28 Assembly that there is an immediate need for the development of the states
29 water resources, in order that the inhabitants of the state shall have
30 adequate sources of water supply for domestic, agricultural, industrial, and
31 other essential purposes, and that current interest rates are such that the
32 sale of refunding bonds could result in significant savings to the state and
33 that the demand for proceeds of bonds to develop new water projects is higher
34 than projected. Therefore, an emergency is declared to exist and this act
35 being immediately necessary for the preservation of the public peace, health
36 and safety shall become effective on the date of its approval by the Governor.

1 If the bill is neither approved nor vetoed by the Governor, it shall become
2 effective on the expiration of the period of time during which the Governor
3 may veto the bill. If the bill is vetoed by the Governor and the veto is
4 overridden, it shall become effective on the date the last house overrides the
5 veto.

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/s/Rep. Thicksten

APPROVED: 2-28-97