

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

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

# A Bill

ACT 456 OF 1997  
SENATE BILL 298

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

8  
9 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
10 IMPROVEMENT APPROPRIATIONS FOR THE SOIL AND WATER  
11 CONSERVATION COMMISSION; AND FOR OTHER PURPOSES."  
12

### Subtitle

13  
14 "AN ACT FOR THE SOIL AND WATER  
15 CONSERVATION COMMISSION  
16 REAPPROPRIATION."  
17

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

20 SECTION 1. REAPPROPRIATION. There is hereby appropriated, to the Soil  
21 and Water Conservation Commission, to be payable from the General Improvement  
22 Fund or its successor fund or fund accounts, for the Soil and Water  
23 Conservation Commission, the following:

24 (A) Effective July 1, 1997, the balance of the appropriation provided  
25 in Item (A) of Section 1 of Act 1168 of 1995, for various Water Development  
26 Fund water supply and water research projects and efforts used to assist  
27 communities in the development of water supplies, distribution systems,  
28 drainage, flood control systems, and water resources research, in a sum not to  
29 exceed ..... \$1,208,722.  
30

31 (B) Effective July 1, 1997, the balance of the appropriation provided  
32 in Item (B) of Section 1 of Act 1168 of 1995, for various Water, Sewer, and  
33 Solid Waste Management Fund Projects, providing water, sewer, and solid waste  
34 services to communities including the development of water, sewer, and solid  
35 waste management systems, in a sum not to exceed ..... \$2,000,000.  
36

1 (C) Effective July 1, 1997, the balance of the appropriation provided  
 2 in Item (C) of Section 1 of Act 1168 of 1995, for various projects of the  
 3 Water Resources Cost Share Revolving Fund Program which provides assistance to  
 4 communities for financing water resources projects, in a sum not to exceed  
 5 ..... \$500,000.  
 6

7 (D) Effective April 5, 1997, the balance of the appropriation provided  
 8 in Item (A) of Section 1 of Act 1001 of 1995, for water and sewer emergency  
 9 repairs at Oneida, Lake View, Elaine, and Holly Grove, Arkansas, in a sum not  
 10 to exceed ..... \$80,000.  
 11

12 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
 13 obligations otherwise incurred in relation to the project or projects  
 14 described herein in excess of the State Treasury funds actually available  
 15 therefor as provided by law. Provided, however, that institutions and  
 16 agencies listed herein shall have the authority to accept and use grants and  
 17 donations including Federal funds, and to use its unobligated cash income or  
 18 funds, or both available to it, for the purpose of supplementing the State  
 19 Treasury funds for financing the entire costs of the project or projects  
 20 enumerated herein. Provided further, that the appropriations and funds  
 21 otherwise provided by the General Assembly for Maintenance and General  
 22 Operations of the agency or institutions receiving appropriation herein shall  
 23 not be used for any of the purposes as appropriated in this Act.

24 (B) Any restrictions contained in the Acts enumerated in the  
 25 reappropriation sections of this Act, the restrictions of any applicable  
 26 provisions of the State Purchasing Law, the General Accounting and Budgetary  
 27 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal  
 28 control laws of this State and regulations promulgated by the Department of  
 29 Finance and Administration, as authorized by law, shall be strictly complied  
 30 with in disbursement of any funds provided by this Act unless specifically  
 31 provided otherwise by law.  
 32

33 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General  
 34 Assembly that any funds disbursed under the authority of the appropriations  
 35 contained in this Act shall be in compliance with the stated reasons for which

1 this Act was adopted, as evidenced by the Agency Requests, Executive  
2 Recommendations and Legislative Recommendations contained in the budget  
3 manuals prepared by the Department of Finance and Administration, letters, or  
4 summarized oral testimony in the official minutes of the Arkansas Legislative  
5 Council or Joint Budget Committee which relate to its passage and adoption.

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7 SECTION 4. CODE. All provisions of this Act of a general and permanent  
8 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
9 Code Revision Commission shall incorporate the same in the Code.

10

11 SECTION 5. SEVERABILITY. If any provision of this Act or the  
12 application thereof to any person or circumstance is held invalid, such  
13 invalidity shall not affect other provisions or applications of the Act which  
14 can be given effect without the invalid provision or application, and to this  
15 end the provisions of this Act are declared to be severable.

16

17 SECTION 6. GENERAL REPEALER. All laws and parts of laws in conflict  
18 with this Act are hereby repealed.

19

20 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the  
21 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
22 prohibits the appropriation of funds for more than a two (2) year period; that  
23 previous General Assemblies have provided appropriations for the projects  
24 provided or enumerated in this act; that certain appropriations will expire  
25 before the adjournment of the General Assembly; and that if such  
26 appropriations expire, the projects and programs authorized herein will cease  
27 thereby depriving the citizens of the State of the benefits to be derived from  
28 such projects. Therefore, an emergency is hereby declared to exist and this  
29 Act being necessary for the immediate preservation of the public peace, health  
30 and safety shall be in full force and effect from and after the date of its  
31 passage and approval.

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APPROVED:3-12-97

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