

**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 139 of the Regular Session**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

HOUSE BILL 1368

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS SOIL  
AND WATER CONSERVATION COMMISSION; AND FOR OTHER  
PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS SOIL AND WATER  
CONSERVATION COMMISSION REAPPROPRIATION.

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19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT FUND. There is hereby  
23 appropriated, to the Arkansas Soil and Water Conservation Commission, to be  
24 payable from the General Improvement Fund or its successor fund or fund  
25 accounts, for the Arkansas Soil and Water Conservation Commission, the  
26 following:

27 (A) Effective July 1, 2005, the balance of the appropriation provided in  
28 Item (C) of Section 1 of Act 71 of 2003, for water treatment, supply,  
29 distribution, storage systems and for irrigation and flood control projects,  
30 in a sum not to exceed .....\$22,939.  
31

32 (B) Effective July 1, 2005, the balance of the appropriation provided in  
33 Item (D) of Section 1 of Act 71 of 2003, for safe water, sanitary sewage and  
34 solid waste disposal systems, in a sum not to exceed .....\$3,313.  
35



1 (C) Effective July 1, 2005, the balance of the appropriation provided in  
2 Item (F) of Section 1 of Act 71 of 2003, for a grant to fund a detailed  
3 engineering feasibility study for the Lake Boydsville Project in Clay County,  
4 in a sum not to exceed .....\$57,042.  
5

6 (D) Effective July 1, 2005, the balance of the appropriation provided in  
7 Item (A) of Section 1 of Act 71 of 2003, for various Water Development Fund  
8 projects to assist local communities in the development of water supplies,  
9 distribution systems, drainage, flood control systems, and water resources  
10 research, in a sum not to exceed .....\$818.  
11

12 (E) Effective July 1, 2005, the balance of the appropriation provided in  
13 Item (G) of Section 1 of Act 71 of 2003, for costs associated with the Osage  
14 Basin Wastewater System development to include preliminary engineering,  
15 environmental studies and acquisition of the treatment plant site, in a sum  
16 not to exceed .....\$17,261.  
17

18 (F) Effective July 1, 2005, the balance of the appropriation provided in  
19 Item (I) of Section 1 of Act 71 of 2003, for costs associated with the Osage  
20 Basin Wastewater System development to include preliminary engineering,  
21 environmental studies and acquisition of the treatment plant site, in a sum  
22 not to exceed .....\$843.  
23

24 (G) Effective July 1, 2005, the balance of the appropriation provided in  
25 Item (J) of Section 1 of Act 71 of 2003, for the Union County Conservation  
26 District for costs associated with an information, education and technical  
27 assistance program in the five county area of South Arkansas in which the  
28 Sparta Aquifer has been designated a critical ground water area, in a sum not  
29 to exceed .....\$3,668.  
30

31 (H) Effective July 1, 2005, the balance of the appropriation provided in  
32 Item (K) of Section 1 of Act 71 of 2003, for costs associated with the Lake  
33 Boydsville Project, in a sum not to exceed .....\$33,790.  
34

35 (I) Effective July 1, 2005, the balance of the appropriation provided in  
36 Item (L) of Section 1 of Act 71 of 2003, for the Arkansas Water Development

1 Fund for various water supply, distribution, and research efforts, in a sum  
2 not to exceed .....\$48,247.

3

4 (J) Effective July 1, 2005, the balance of the appropriation provided in  
5 Item (A) of Section 1 of Act 153 of 2003, for Soil Physics - Soils Digital  
6 Data, in a sum not to exceed .....\$300,000.

7

8 (K) Effective July 1, 2005, the balance of the appropriation provided in  
9 Item (A) of Section 1 of Act 1208 of 2003, for administrative costs  
10 associated with the White River Irrigation District, in a sum not to exceed  
11 .....\$363,986.

12

13 (L) Effective July 1, 2005, the balance of the appropriation provided in  
14 Item (A) of Section 1 of Act 489 of 2003, for state assistance to the Brushy  
15 Island Water District for upgrading of existing water pipes system, in a sum  
16 not to exceed .....\$100,000.

17

18 (M) Effective July 1, 2005, the balance of the appropriation provided in  
19 Item (A) of Section 1 of Act 1126 of 2003, for State assistance in the  
20 construction, equipping and improvements to the Soil and Water Conservation  
21 facility in Clark County, in a sum not to exceed .....\$48,552.

22

23 (N) Effective July 1, 2005, the balance of the appropriation provided in  
24 Item (A) of Section 1 of Act 457 of 2003, for administrative costs associated  
25 with the Bayou Meto Irrigation District, in a sum not to exceed ....\$348,552.

26

27 (O) Effective July 1, 2005, the balance of the appropriation provided in  
28 Item (A) of Section 1 of Act 234 of 2003, for the Arkansas Water Development  
29 Fund to provide financial assistance to communities allowing them to provide  
30 safe, affordable water to their citizens and commercial users, in a sum not  
31 to exceed .....\$11,000,000.

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33 (P) Effective July 1, 2005, the balance of the appropriation provided in  
34 Item (B) of Section 1 of Act 234 of 2003, for the Arkansas Water, Sewer, and  
35 Solid Waste Management Fund to provide financial assistance to communities to  
36 fund safe, affordable water, sewage, and solid waste disposal, in a sum not

1 to exceed .....\$9,000,000.

2

3 (Q) Effective July 1, 2005, the balance of the appropriation provided in  
4 Item (C) of Section 1 of Act 234 of 2003, for the Water Resources Cost Share  
5 Revolving Fund to provide funding to the state and its political subdivisions  
6 to finance the non-federal share of their obligations in regard to a water  
7 resources development project, in a sum not to exceed .....\$15,000,000.

8

9 (R) Effective July 1, 2005, the balance of the appropriation provided in  
10 Item (D) of Section 1 of Act 234 of 2003, for the Drinking Water State  
11 Revolving Fund to provide funding for various projects, in a sum not to  
12 exceed .....\$5,000,000.

13

14 (S) Effective July 1, 2005, the balance of the appropriation provided in  
15 Item (E) of Section 1 of Act 234 of 2003, for the Clean Water State Revolving  
16 Fund to provide funding for various projects, in a sum not to exceed  
17 .....\$5,000,000.

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

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

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2 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly

3 that any funds disbursed under the authority of the appropriations contained

4 in this act shall be in compliance with the stated reasons for which this act

5 was adopted, as evidenced by the Agency Requests, Executive Recommendations

6 and Legislative Recommendations contained in the budget manuals prepared by

7 the Department of Finance and Administration, letters, or summarized oral

8 testimony in the official minutes of the Arkansas Legislative Council or

9 Joint Budget Committee which relate to its passage and adoption.

10

11 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General

12 Assembly, that the Constitution of the State of Arkansas prohibits the

13 appropriation of funds for more than a two (2) year period; that previous

14 General Assemblies have provided appropriations for the projects provided or

15 enumerated in this act; that certain appropriations will expire before the

16 adjournment of the General Assembly; and that if such appropriations expire,

17 the projects and programs authorized herein will cease thereby depriving the

18 citizens of the State of the benefits to be derived from such projects.

19 Therefore, an emergency is hereby declared to exist and this Act being

20 necessary for the immediate preservation of the public peace, health and

21 safety shall be in full force and effect from and after the date of its

22 passage and approval. If the bill is neither approved nor vetoed by the

23 Governor, it shall become effective on the expiration of the period of time

24 during which the Governor may veto the bill. If the bill is vetoed by the

25 Governor and the veto is overridden, it shall become effective on the date

26 the last house overrides the veto.

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29 APPROVED: 2/11/2005

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