

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 148 of the Regular Session

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

A Bill

SENATE BILL 221

5 By: Joint Budget Committee
6
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For An Act To Be Entitled

9 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS
11 DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER
12 QUALITY MONITORING AND ASSESSMENT; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS DEPARTMENT OF
17 ENVIRONMENTAL QUALITY - WATER QUALITY
18 MONITORING AND ASSESSMENT
19 REAPPROPRIATION.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. REAPPROPRIATION - WATER QUALITY MONITORING AND ASSESSMENT.

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, for the Arkansas Department of Environmental Quality,
28 the following:
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30 (A) Effective July 1, 2005, the balance of the appropriation provided in
31 Item (A) of Section 1 of Act 156 of 2003, for contract services to complete
32 the Total Maximum Daily Load (TMDL) for all impaired waters of the State to
33 meet the water quality standards of the Federal Clean Water Act, in a sum not
34 to exceed\$400,000.
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1 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
2 obligations otherwise incurred in relation to the project or projects
3 described herein in excess of the State Treasury funds actually available
4 therefor as provided by law. Provided, however, that institutions and
5 agencies listed herein shall have the authority to accept and use grants and
6 donations including Federal funds, and to use its unobligated cash income or
7 funds, or both available to it, for the purpose of supplementing the State
8 Treasury funds for financing the entire costs of the project or projects
9 enumerated herein. Provided further, that the appropriations and funds
10 otherwise provided by the General Assembly for Maintenance and General
11 Operations of the agency or institutions receiving appropriation herein shall
12 not be used for any of the purposes as appropriated in this act.

13 (B) The restrictions of any applicable provisions of the State Purchasing
14 Law, the General Accounting and Budgetary Procedures Law, the Revenue
15 Stabilization Law and any other applicable fiscal control laws of this State
16 and regulations promulgated by the Department of Finance and Administration,
17 as authorized by law, shall be strictly complied with in disbursement of any
18 funds provided by this act unless specifically provided otherwise by law.
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20 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly
21 that any funds disbursed under the authority of the appropriations contained
22 in this act shall be in compliance with the stated reasons for which this act
23 was adopted, as evidenced by the Agency Requests, Executive Recommendations
24 and Legislative Recommendations contained in the budget manuals prepared by
25 the Department of Finance and Administration, letters, or summarized oral
26 testimony in the official minutes of the Arkansas Legislative Council or
27 Joint Budget Committee which relate to its passage and adoption.
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29 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
30 Assembly, that the Constitution of the State of Arkansas prohibits the
31 appropriation of funds for more than a two (2) year period; that previous
32 General Assemblies have provided appropriations for the projects provided or
33 enumerated in this act; that certain appropriations will expire before the
34 adjournment of the General Assembly; and that if such appropriations expire,
35 the projects and programs authorized herein will cease thereby depriving the
36 citizens of the State of the benefits to be derived from such projects.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 2005.

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6 APPROVED: 2/11/2005
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