

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 221 of the Regular Session

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

A Bill

HOUSE BILL 1459

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

9 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS  
10 SOIL AND WATER CONSERVATION COMMISSION FOR  
11 CAPITAL IMPROVEMENT PROJECTS; AND FOR OTHER  
12 PURPOSES.  
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15 **Subtitle**

16 AN ACT FOR THE ARKANSAS SOIL AND WATER  
17 CONSERVATION COMMISSION GENERAL  
18 IMPROVEMENT APPROPRIATION.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. APPROPRIATIONS - GENERAL IMPROVMENT. There is hereby  
24 appropriated, to the Arkansas Soil and Water Conservation Commission, to be  
25 payable from the General Improvement Fund or its successor fund or fund  
26 accounts, the following:

27 (A) For the Water Development Fund to provide financial assistance to  
28 communities allowing them to provide safe, affordable water to their citizens  
29 and commercial users, the sum of .....\$11,000,000.

30 (B) For the Water, Sewer, and Solid Waste Management Fund to provide  
31 financial assistance to communities allowing them to provide safe, affordable  
32 water to their citizens and commercial users, the sum of .....\$9,000,000.

33 (C) For the Water Resources Cost Share Revolving Fund to provide funding  
34 to the state and its political subdivisions to finance the non-federal share  
35 of their obligations in regard to a water resources development project, the



1 sum of .....\$24,000,000.

2 (D) For the Drinking Water State Revolving Fund to provide funding for  
3 various projects, the sum of .....\$5,000,000.

4 (E) For the Clean Water State Revolving Fund to provide funding for  
5 various projects, the sum of .....\$5,000,000.

6 (F) For the Red River Waterways Trust Fund to provide funding for the  
7 construction of the Red River Waterways Project, the sum of .....\$3,000,000.

8 (G) For the Ouachita River Waterway Trust Fund to provide funding for  
9 various projects, the sum of .....\$500,000.

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11 SECTION 2. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to the  
12 Arkansas Soil and Water Conservation Commission, to be payable from the  
13 federal funds as designated by the Chief Fiscal Officer of the State, the  
14 following:

15 (A) For the Water Development Fund to provide financial assistance to  
16 communities allowing them to provide safe, affordable water to their citizens  
17 and commercial users, the sum of .....\$106,000,000.

18 (B) For the Water, Sewer, and Solid Waste Management Fund to provide  
19 financial assistance to communities to fund safe, affordable water, sewage,  
20 and solid waste disposal, the sum of .....\$69,000,000.

21 (C) For the Water Resources Cost Share Revolving Fund to provide funding  
22 to the state and its political subdivisions to finance the non-federal share  
23 of their obligations in regard to a water resources development project, the  
24 sum of .....\$140,400,000.

25 (D) For the Drinking Water State Revolving Fund to provide funding for  
26 various projects, the sum of .....\$25,000,000.

27 (E) For the Clean Water State Revolving Fund to provide funding for  
28 various projects, the sum of .....\$25,000,000.

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30 SECTION 3. APPROPRIATIONS - CASH. There is hereby appropriated, to the  
31 Arkansas Soil and Water Conservation Commission, to be payable from the cash  
32 fund deposited in the State Treasury as determined by the Chief Fiscal  
33 Officer of the State, the following:

34 (A) For the Water Development Fund to provide financial assistance to  
35 communities allowing them to provide safe, affordable water to their citizens  
36 and commercial users, the sum of .....\$22,780,000.

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SECTION 4. APPROPRIATIONS - BOND PROCEEDS. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the Bond Proceeds, the following:

(A) For the Water Development Fund to provide financial assistance to communities allowing them to provide safe, affordable water to their citizens and commercial users, the sum of .....\$11,220,000.

(B) For the Water Resources Cost Share Revolving Fund to provide funding to the state and its political subdivisions to finance the non-federal share of their obligations in regard to a water resources development project, the sum of .....\$51,600,000.

SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and agencies listed herein shall have the authority to accept and use grants and donations including Federal funds, and to use its unobligated cash income or funds, or both available to it, for the purpose of supplementing the State Treasury funds for financing the entire costs of the project or projects enumerated herein. Provided further, that the appropriations and funds otherwise provided by the General Assembly for Maintenance and General Operations of the agency or institutions receiving appropriation herein shall not be used for any of the purposes as appropriated in this act.

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

SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral  
2 testimony in the official minutes of the Arkansas Legislative Council or  
3 Joint Budget Committee which relate to its passage and adoption.

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5 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly, that the Constitution of the State of Arkansas prohibits the  
7 appropriation of funds for more than a two (2) year period; that the  
8 effectiveness of this Act on July 1, 2005 is essential to the operation of  
9 the agency for which the appropriations in this Act are provided, and that in  
10 the event of an extension of the Regular Session, the delay in the effective  
11 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
12 proper administration and provision of essential governmental programs.  
13 Therefore, an emergency is hereby declared to exist and this Act being  
14 necessary for the immediate preservation of the public peace, health and  
15 safety shall be in full force and effect from and after July 1, 2005.

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19 **APPROVED: 2/17/2005**  
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