1 State of Arkansas A Bill **ACT 755 OF 1993** 2 **79th General Assembly** SENATE BILL 816 3 Regular Session, 1993 4 By: Joint Budget Committee 5 6 For An Act To Be Entitled 7 "AN ACT TO MAKE AN APPROPRIATION TO THE SOIL AND WATER CONSERVATION COMMISSION FOR PROVIDING SUPPLEMENTAL LONG-9 TERM LOANS AND GRANTS TO ENTITIES OF GOVERNMENT; AND FOR 10 11 OTHER PURPOSES." 12 Subtitle 13 "AN ACT FOR THE SOIL AND WATER CONSERVATION COMMISSION 14 CAPITAL IMPROVEMENT APPROPRIATION." 15 16 17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 18 19 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby 20 appropriated, to the Soil and Water Conservation Commission, for cities, water 21 associations, regional water districts, and counties for planning and 22 construction of water resource development projects including but not limited 23 to public water supply, irrigation, flood control/drainage and recreation 24 projects, to be payable from the General Improvement Fund or its successor 25 fund or fund accounts, the following: 26 (A) For the various Water Development Fund water supply and water 27 research projects and efforts used to assist communities in the development of 28 water supplies, distribution systems, drainage, flood control systems and 30 For the various Water, Sewer and Solid Waste Management Fund 31 32 projects providing water, sewer and solid waste services to communities 33 including the development of water, sewer and solid waste management systems, 34 the sum of\$2,732,000.

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SECTION 2. TRANSFER PROVISION. Immediately upon approval of the 2 Governor, there is hereby authorized to be transferred upon the books and 3 records of the Chief Fiscal Officer of the State, the State Treasurer, and the 4 State Auditor, the sum of One Million Dollars (\$1,000,000) from the General 5 Improvement Fund to the Red River Waterways Project Trust Fund. SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor 8 obligations otherwise incurred in relation to the project or projects 9 described herein in excess of the State Treasury funds actually available 10 therefor as provided by law. Provided, however, that institutions and 11 agencies listed herein shall have the authority to accept and use grants and 12 donations including Federal funds, and to use its unobligated cash income or 13 funds, or both available to it, for the purpose of supplementing the State 14 Treasury funds for financing the entire costs of the project or projects 15 enumerated herein. Provided further, that the appropriations and funds 16 otherwise provided by the General Assembly for Maintenance and General 17 Operations of the agency or institutions receiving appropriation herein shall 18 not be used for any of the purposes as appropriated in this Act. 19 The restrictions of any applicable provisions of the State 20 Purchasing Law, the General Accounting and Budgetary Procedures Law, the 21 Revenue Stabilization Law and any other applicable fiscal control laws of this 22 State and regulations promulgated by the Department of Finance and 23 Administration, as authorized by law, shall be strictly complied with in 24 disbursement of any funds provided by this Act unless specifically provided 25 otherwise by law. 26 27 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General 28 Assembly that any funds disbursed under the authority of the appropriations 29 contained in this Act shall be in compliance with the stated reasons for which 30 this Act was adopted, as evidenced by the Agency Requests, Executive 31 Recommendations and Legislative Recommendations contained in the budget 32 manuals prepared by the Department of Finance and Administration, letters, or 33 summarized oral testimony in the official minutes of the Arkansas Legislative 34 Council or Joint Budget Committee which relate to its passage and adoption. 35

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SECTION 5. CODE. All provisions of this Act of a general and permanent
 2 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
 3 Code Revision Commission shall incorporate the same in the Code.
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                     SEVERABILITY. If any provision of this Act or the
 6 application thereof to any person or circumstance is held invalid, such
 7 invalidity shall not affect other provisions or applications of the Act which
 8 can be given effect without the invalid provision or application, and to this
 9 end the provisions of this Act are declared to be severable.
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         SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict
12 with this Act are hereby repealed.
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         SECTION 8c:\wp51\bills\els157
      EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth
16 General Assembly, that the Constitution of the State of Arkansas prohibits the
17 appropriation of funds for more than a two (2) year period; that the
18 effectiveness of this Act on July 1, 1993 is essential to the operation of the
19 agency for which the appropriations in this Act are provided, and that in the
20 event of an extension of the Regular Session, the delay in the effective date
21 of this Act beyond July 1, 1993 could work irreparable harm upon the proper
22 administration and provision of essential governmental programs. Therefore, an
23 emergency is hereby declared to exist and this Act being necessary for the
24 immediate preservation of the public peace, health and safety shall be in full
25 force and effect from and after July 1, 1993.
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