

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**
5
6

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE SOIL AND WATER
10 CONSERVATION COMMISSION; AND FOR OTHER PURPOSES."
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12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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14 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
15 appropriated, to the Soil and Water Conservation Commission - General
16 Improvement, to be payable from the General Improvement Fund or its successor
17 fund or fund accounts, for the Soil and Water Conservation Commission -
18 General Improvement, the following:

19 (A) Effective June 30, 1991, the balance of the appropriation provided
20 in Item (C) of Section 1 of Act 51 of the First Extraordinary Session of 1989,
21 for water development projects, in a sum not to exceed\$54,302.

22 (B) Effective June 30, 1991, the balance of the appropriation provided
23 in Item (B) of Section 1 of Act 51 of the First Extraordinary Session of 1989,
24 for water, sewer and solid waste projects, in a sum not to exceed ...\$40,000.

25 (C) Effective June 30, 1991, the balance of the appropriation provided
26 in Item (A) of Section 1 of Act 51 of the First Extraordinary Session of 1989,
27 for water development projects, in a sum not to exceed\$2,786.

28 (D) Effective July 1, 1991, the balance of the appropriation provided
29 in Item (A) of Section 1 of Act 56 of the First Extraordinary Session of 1989,
30 for water development projects, in a sum not to exceed\$769,859.

31 (E) Effective July 1, 1991, the balance of the appropriation provided
32 in Item (B) of Section 1 of Act 56 of the First Extraordinary Session of 1989,
33 for water, sewer and solid waste projects, in a sum not to exceed .. \$763,000.
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35 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor

1 obligations otherwise incurred in relation to the project or projects
 2 described herein in excess of the State Treasury funds actually available
 3 therefor as provided by law. Provided, however, that institutions and
 4 agencies listed herein shall have the authority to accept and use grants and
 5 donations including Federal funds, and to use its unobligated cash income or
 6 funds, or both available to it, for the purpose of supplementing the State
 7 Treasury funds for financing the entire costs of the project or projects
 8 enumerated herein. Provided further, that the appropriations and funds
 9 otherwise provided by the General Assembly for Maintenance and General
 10 Operations of the agency or institutions receiving appropriation herein shall
 11 not be used for any of the purposes as appropriated in this Act.

12 (B) Any restrictions contained in the Acts enumerated in the
 13 reappropriation sections of this Act, the restrictions of any applicable
 14 provisions of the State Purchasing Law, the General Accounting and Budgetary
 15 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal
 16 control laws of this State and regulations promulgated by the Department of
 17 Finance and Administration, as authorized by law, shall be strictly complied
 18 with in disbursement of any funds provided by this Act unless specifically
 19 provided otherwise by law.

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21 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General
 22 Assembly that any funds disbursed under the authority of the appropriations
 23 contained in this Act shall be in compliance with the stated reasons for which
 24 this Act was adopted, as evidenced by the Agency Requests, Executive
 25 Recommendations and Legislative Recommendations contained in the budget
 26 manuals prepared by the Department of Finance and Administration, letters, or
 27 summarized oral testimony in the official minutes of the Arkansas Legislative
 28 Council or Joint Budget Committee which relate to its passage and adoption.

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

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34 SECTION 5. SEVERABILITY. If any provision of this Act or the
 35 application thereof to any person or circumstance is held invalid, such

1 invalidity shall not affect other provisions or applications of the Act which
2 can be given effect without the invalid provision or application, and to this
3 end the provisions of this Act are declared to be severable.

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

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8 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the
9 Seventy-Eighth General Assembly, that the Constitution of the State of
10 Arkansas prohibits the appropriation of funds for more than a two (2) year
11 period; that previous General Assemblies have provided appropriations for the
12 projects provided enumerated in this act; that certain appropriations will
13 expire before the adjournment of the General Assembly; and that if such
14 appropriations expire, the projects and programs authorized herein will cease
15 thereby depriving the citizens of the State of the benefits to be derived from
16 such projects. Therefore, an emergency is hereby declared to exist and this
17 Act being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after the date of its
19 passage and approval.

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