

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE SOIL AND WATER  
9 CONSERVATION COMMISSION FOR PROVIDING SUPPLEMENTAL LONG-  
10 TERM LOANS AND GRANTS TO ENTITIES OF GOVERNMENT; AND FOR  
11 OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE SOIL AND WATER CONSERVATION COMMISSION  
15 CAPITAL IMPROVEMENT APPROPRIATION."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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  
29 water resources research, the sum of ..... \$6,028,000.

31 (B) For the various Water, Sewer and Solid Waste Management Fund  
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 Governor, there is hereby authorized to be transferred upon the books and records of the Chief Fiscal Officer of the State, the State Treasurer, and the State Auditor, the sum of One Million Dollars (\$1,000,000) from the General Improvement Fund to the Red River Waterways Project Trust Fund.

SECTION 3. 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 4. 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 the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

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SECTION 5. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 6. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 8c:\wp51\bill\els157  
. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993.

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