

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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For An Act To Be Entitled

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"AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL

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IMPROVEMENT APPROPRIATIONS FOR THE SOIL AND WATER

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CONSERVATION COMMISSION; AND FOR OTHER PURPOSES."

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Subtitle

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"AN ACT FOR THE SOIL AND WATER

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CONSERVATION COMMISSION

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REAPPROPRIATION."

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

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SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby

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appropriated, to the Soil and Water Conservation Commission, to be payable

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from the General Improvement Fund or its successor fund or fund accounts, for

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the Soil and Water Conservation Commission, the following:

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(A) Effective July 1, 1995, the balance of the appropriation provided

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in Item (A) of Section 1 of Act 755 of 1993, for the various Water

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Development Fund, water supply and water research projects and efforts used

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to assist communities in the development of water supplies, distribution

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systems, drainage, flood control systems and water resources research, in a

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sum not to exceed \$1,778,000.

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(B) Effective July 1, 1995, the balance of the appropriation provided

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in Item (B) of Section 2 of Act 755 of 1993, for the various Water, Sewer and

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Solid Waste Management Fund projects providing water, sewer and solid waste

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services to communities including the development of water, sewer and solid

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waste management systems, in a sum not to exceed \$1,000,000.

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A Bill

SENATE BILL

389

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

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

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

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35 SECTION 5. SEVERABILITY. If any provision of this Act or the

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

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

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

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