

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H2/14/97

A Bill

HOUSE BILL 1439

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES
10 FOR THE SOIL AND WATER CONSERVATION COMMISSION WHICH SHALL
11 BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS
12 APPROPRIATED BY ACT 864 OF 1995; AND FOR OTHER PURPOSES."
13

Subtitle

14 "AN ACT FOR THE SOIL AND WATER
15 CONSERVATION COMMISSION SUPPLEMENTAL
16 APPROPRIATION."
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. APPROPRIATIONS - WATER DEVELOPMENT GENERAL OBLIGATION BOND
22 PROGRAM. There is hereby appropriated, to the Soil and Water Conservation
23 Commission, to be payable from the Water Resources Development Construction
24 Fund, for operating expenses of the Soil and Water Conservation Commission -
25 Water Development General Obligation Bond Program which shall be supplemental
26 and in addition to those funds appropriated in Section 11 of Act 864 of 1995,
27 the following:
28

| 29 ITEM | FISCAL YEAR | |
|---------------------------------|--------------------|--------|
| 30 NO. | 1996 97 | |
| 31 (01) MAINT. & GEN. OPERATION | | |
| 32 (A) OPER. EXPENSE | \$ | 0 |
| 33 (B) CONF. & TRVL. | | 0 |
| 34 (C) PROF. FEES | | 0 |
| 35 | | |
| 36 (D) CAP. OUTLAY | | 35,000 |

| | | |
|---|--|----------------------|
| 1 | (E) DATA PROC. | 0 |
| 2 | (02) DISBURSEMENTS FOR WATER PROJECTS CONSTRUCTION | <u>15,000,000</u> |
| 3 | TOTAL AMOUNT APPROPRIATED | <u>\$ 15,035,000</u> |

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5 SECTION 2. (a) Pursuant to the provisions of Section 2(b) of the
6 Arkansas Water Resources Development Act of 1981, the Soil and Water
7 Conservation Commission is authorized to issue bonds, including refunding
8 bonds, under the 1981 Act in one (1) or more series in the additional amount
9 of twelve million twenty-five thousand dollars (\$12,025,000) (which together
10 with the unissued balance of the authority granted pursuant to Act No. 5 of
11 the First Extraordinary Session of the Eightieth General Assembly approved
12 October 19, 1995, in the amount of two million nine hundred seventy-five
13 thousand dollars (\$2,975,000) shall equal in the aggregate, authority of not
14 to exceed fifteen million dollars (\$15,000,000)), in principal amount during
15 the remainder of the fiscal biennium ending June 30, 1997.

16 (b) Pursuant to the provisions of Section 2(b) of the Arkansas Water
17 Resources Development Act of 1981, the Soil and Water Conservation Commission
18 is authorized to issue bonds, including refunding bonds, under the 1981 Act in
19 one (1) or more series not to exceed an aggregate of twenty-four million seven
20 hundred thousand dollars (24,700,000) in principal amount during the fiscal
21 biennium ending June 30, 1999.

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23 SECTION 3. The applicability of this Act is limited solely to (i)
24 remainder of the fiscal biennium beginning on the effective date of this Act
25 and ending June 30, 1997, and (ii) the fiscal biennium commencing on July 1,
26 1997, and ending June 30, 1999, and shall not apply to any fiscal biennium
27 commencing on and after July 1, 1999, as to which Section 2(b) of the 1981 Act
28 shall apply unless otherwise provided by law.

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30 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
31 authorized by this Act shall be limited to the appropriation for such agency
32 and funds made available by law for the support of such appropriations; and
33 the restrictions of the State Purchasing Law, the General Accounting and
34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
35 Procedures and Restrictions Act, or their successors, and other fiscal control

1 laws of this State, where applicable, and regulations promulgated by the
2 Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

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5 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
6 Assembly that any funds disbursed under the authority of the appropriations
7 contained in this Act shall be in compliance with the stated reasons for which
8 this Act was adopted, as evidenced by the Agency Requests, Executive
9 Recommendations and Legislative Recommendations contained in the budget
10 manuals prepared by the Department of Finance and Administration, letters, or
11 summarized oral testimony in the official minutes of the Arkansas Legislative
12 Council or Joint Budget Committee which relate to its passage and adoption.

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14 SECTION 6. CODE. All provisions of this Act of a general and permanent
15 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
16 Code Revision Commission shall incorporate the same in the Code.

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18 SECTION 7. SEVERABILITY. If any provision of this Act or the
19 application thereof to any person or circumstance is held invalid, such
20 invalidity shall not affect other provisions or applications of the Act which
21 can be given effect without the invalid provision or application, and to this
22 end the provisions of this Act are declared to be severable.

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24 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
25 with this Act are hereby repealed.

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27 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
28 Eighty-First General Assembly that funds provided by the General Assembly for
29 the operations of the Soil and Water Conservation Commission are, due to
30 unforeseen circumstances, insufficient for the Soil and Water Conservation
31 Commission to continue to provide essential governmental services; that the
32 provisions of this act will provide the necessary monies for the Soil and
33 Water Conservation Commission to continue such services; and that a delay in
34 the effective date of this Act could work irreparable harm upon the proper
35 administration and provision of essential governmental programs. Therefore,

1 an emergency is hereby declared to exist and this Act being necessary for the
2 immediate preservation of the public peace, health and safety shall be in full
3 force and effect from and after the date of its passage and approval.

4 */s/Rep. Thicksten, et al*

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