

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

As Engrossed: H2/21/97

# A Bill

HOUSE BILL 1512

4  
5 *By: Joint Budget Committee*

## For An Act To Be Entitled

9 "AN ACT TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED TWELVE  
10 MILLION TWENTY-FIVE THOUSAND DOLLARS (\$12,025,000) OF  
11 ADDITIONAL STATE OF ARKANSAS WATER RESOURCES DEVELOPMENT  
12 GENERAL OBLIGATION BONDS DURING THE 1995-1997 FISCAL  
13 BIENNIUM ENDING JUNE 30, 1997; AND TO AUTHORIZE THE  
14 ISSUANCE OF NOT TO EXCEED TWENTY-FOUR MILLION SEVEN  
15 HUNDRED THOUSAND DOLLARS (\$24,700,000) OF STATE OF  
16 ARKANSAS WATER RESOURCES DEVELOPMENT GENERAL OBLIGATION  
17 BONDS DURING THE 1997-1999 FISCAL BIENNIUM ENDING JUNE 30,  
18 1999 PURSUANT TO THE ARKANSAS WATER RESOURCES DEVELOPMENT  
19 ACT OF 1981 (CODIFIED AS ARKANSAS CODE OF 1987 ANNOTATED  
20 SECTIONS 15-22-601 THROUGH 15-22-622); PRESCRIBING OTHER  
21 MATTERS RELATED THERETO; DECLARING AN EMERGENCY; AND FOR  
22 OTHER PURPOSES."

## Subtitle

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25 "TO AUTHORIZE THE ISSUANCE OF ADDITIONAL  
26 STATE OF ARKANSAS WATER RESOURCES  
27 DEVELOPMENT GENERAL OBLIGATION BONDS."

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

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31 SECTION 1. The General Assembly finds:

32 (a) that the Arkansas Water Resources Development Act of 1981 (codified  
33 as Arkansas Code of 1987 Annotated Sections 15-22-601 through 602) (the "1981  
34 Act") authorized the Arkansas Soil and Water Conservation Commission (the  
35 "Commission") to issue on behalf of the State of Arkansas the State of  
36 Arkansas Water Resources Development General Obligation Bonds (the "Bonds") in

1 a total principal amount of not exceeding one hundred million dollars  
2 (\$100,000,000), as approved by the voters of the State of Arkansas at the  
3 general election held November 2, 1982;

4 (b) that Section 2(b) of the 1981 Act (which is codified as Arkansas  
5 Code Annotated Section 15-22-606) provides that the total principal amount of  
6 Bonds which may be issued during any fiscal biennium shall not exceed fifteen  
7 million dollars (\$15,000,000), unless the General Assembly shall, by law, have  
8 authorized a greater principal amount thereof to be issued during a fiscal  
9 biennium;

10 (c) that pursuant to the provisions of Act No. 5 of the First  
11 Extraordinary Session of the Eightieth General Assembly, approved October 19,  
12 1995, the General Assembly authorized the issuance of not to exceed thirty  
13 million dollars (\$30,000,000) of State of Arkansas Water Resources Development  
14 General Obligation Bonds during the fiscal biennium ending June 30, 1997, of  
15 which two million nine hundred seventy-five thousand dollars (\$2,975,000)  
16 remains authorized, but not issued;

17 (d) that current interest rates for the Bonds make potential debt  
18 service savings available to the State through the issuance of Bonds by the  
19 Commission to refund previously issued Bonds;

20 (e) that demands for proceeds of the Bonds to develop new water  
21 projects is higher than projected; and

22 (f) that the fifteen million dollars (\$15,000,000) provided for in  
23 Section 2(b) of the 1981 Act may not be sufficient to meet the refunding and  
24 new project needs of the State for the remainder of the fiscal biennium ending  
25 June 30, 1997, or for the 1997-1999 fiscal biennium ending June 30, 1999.

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27 SECTION 2. (a) Pursuant to the provisions of Section 2(b) of the 1981  
28 Act, the Commission is authorized to issue Bonds, including refunding Bonds,  
29 under the 1981 Act in one (1) or more series in the additional amount of  
30 twelve million twenty-five thousand dollars (\$12,025,000) (which together with  
31 the unissued balance of the authority granted pursuant to Act No. 5 of the  
32 First Extraordinary Session of the Eightieth General Assembly approved October  
33 19, 1995, in the amount of two million nine hundred seventy-five thousand  
34 dollars (\$2,975,000) shall equal in the aggregate, authority of not to exceed  
35 fifteen million dollars (\$15,000,000)), in principal amount during the  
36 remainder of the fiscal biennium ending June 30, 1997;

1           (b) Pursuant to the provisions of Section 2(b) of the 1981 Act, the  
2 Commission is authorized to issue Bonds, including refunding Bonds, under the  
3 1981 Act in one (1) or more series not to exceed an aggregate of twenty-four  
4 million seven hundred thousand dollars (\$24,700,000) in principal amount  
5 during the fiscal biennium ending June 30, 1999.

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7           SECTION 3. The applicability of this Act is limited solely to (i)  
8 remainder of the fiscal biennium beginning on the effective date of this Act  
9 and ending June 30, 1997, and (ii) the fiscal biennium commencing on July 1,  
10 1997 and ending June 30, 1999, and shall not apply to any fiscal biennium  
11 commencing on and after July 1, 1999, as to which Section 2(b) of the 1981 Act  
12 shall apply unless otherwise provided by law.

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14           SECTION 4. All provisions of this act of a general and permanent nature  
15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
16 Revision Commission shall incorporate the same in the Code.

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18           SECTION 5. If any provision of this act or the application thereof to  
19 any person or circumstance is held invalid, such invalidity shall not affect  
20 other provisions or applications of the act which can be given effect without  
21 the invalid provision or application, and to this end the provisions of this  
22 act are declared to be severable.

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24           SECTION 6. All laws and parts of laws in conflict with this act are  
25 hereby repealed.

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27           SECTION 7. EMERGENCY. It is hereby found and determined by the General  
28 Assembly that there is an immediate need for the development of the states  
29 water resources, in order that the inhabitants of the state shall have  
30 adequate sources of water supply for domestic, agricultural, industrial, and  
31 other essential purposes, and that current interest rates are such that the  
32 sale of refunding bonds could result in significant savings to the state and  
33 that the demand for proceeds of bonds to develop new water projects is higher  
34 than projected. Therefore, an emergency is declared to exist and this act  
35 being immediately necessary for the preservation of the public peace, health  
36 and safety shall become effective on the date of its approval by the Governor.

1 If the bill is neither approved nor vetoed by the Governor, it shall become  
2 effective on the expiration of the period of time during which the Governor  
3 may veto the bill. If the bill is vetoed by the Governor and the veto is  
4 overridden, it shall become effective on the date the last house overrides the  
5 veto.

6 /s/Rep. Thicksten  
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