

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

A Bill

SENATE BILL 298

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE SOIL AND WATER
11 CONSERVATION COMMISSION; AND FOR OTHER PURPOSES."
12

Subtitle

13 "AN ACT FOR THE SOIL AND WATER
14 CONSERVATION COMMISSION
15 REAPPROPRIATION."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. REAPPROPRIATION. There is hereby appropriated, to the Soil
21 and Water Conservation Commission, to be payable from the General Improvement
22 Fund or its successor fund or fund accounts, for the Soil and Water
23 Conservation Commission, the following:

24 (A) Effective July 1, 1997, the balance of the appropriation provided
25 in Item (A) of Section 1 of Act 1168 of 1995, for various Water Development
26 Fund water supply and water research projects and efforts used to assist
27 communities in the development of water supplies, distribution systems,
28 drainage, flood control systems, and water resources research, in a sum not to
29 exceed \$1,208,722.
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31 (B) Effective July 1, 1997, the balance of the appropriation provided
32 in Item (B) of Section 1 of Act 1168 of 1995, for various Water, Sewer, and
33 Solid Waste Management Fund Projects, providing water, sewer, and solid waste
34 services to communities including the development of water, sewer, and solid
35 waste management systems, in a sum not to exceed \$2,000,000.
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1 (C) Effective July 1, 1997, the balance of the appropriation provided
 2 in Item (C) of Section 1 of Act 1168 of 1995, for various projects of the
 3 Water Resources Cost Share Revolving Fund Program which provides assistance to
 4 communities for financing water resources projects, in a sum not to exceed
 5 \$500,000.
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7 (D) Effective April 5, 1997, the balance of the appropriation provided
 8 in Item (A) of Section 1 of Act 1001 of 1995, for water and sewer emergency
 9 repairs at Oneida, Lake View, Elaine, and Holly Grove, Arkansas, in a sum not
 10 to exceed \$80,000.
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12 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
 13 obligations otherwise incurred in relation to the project or projects
 14 described herein in excess of the State Treasury funds actually available
 15 therefor as provided by law. Provided, however, that institutions and
 16 agencies listed herein shall have the authority to accept and use grants and
 17 donations including Federal funds, and to use its unobligated cash income or
 18 funds, or both available to it, for the purpose of supplementing the State
 19 Treasury funds for financing the entire costs of the project or projects
 20 enumerated herein. Provided further, that the appropriations and funds
 21 otherwise provided by the General Assembly for Maintenance and General
 22 Operations of the agency or institutions receiving appropriation herein shall
 23 not be used for any of the purposes as appropriated in this Act.

24 (B) Any restrictions contained in the Acts enumerated in the
 25 reappropriation sections of this Act, the restrictions of any applicable
 26 provisions of the State Purchasing Law, the General Accounting and Budgetary
 27 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal
 28 control laws of this State and regulations promulgated by the Department of
 29 Finance and Administration, as authorized by law, shall be strictly complied
 30 with in disbursement of any funds provided by this Act unless specifically
 31 provided otherwise by law.
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33 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General
 34 Assembly that any funds disbursed under the authority of the appropriations
 35 contained in this Act shall be in compliance with the stated reasons for which

1 this Act was adopted, as evidenced by the Agency Requests, Executive
2 Recommendations and Legislative Recommendations contained in the budget
3 manuals prepared by the Department of Finance and Administration, letters, or
4 summarized oral testimony in the official minutes of the Arkansas Legislative
5 Council or Joint Budget Committee which relate to its passage and adoption.

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

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11 SECTION 5. SEVERABILITY. If any provision of this Act or the
12 application thereof to any person or circumstance is held invalid, such
13 invalidity shall not affect other provisions or applications of the Act which
14 can be given effect without the invalid provision or application, and to this
15 end the provisions of this Act are declared to be severable.

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

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20 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the
21 Eighty-First General Assembly, that the Constitution of the State of Arkansas
22 prohibits the appropriation of funds for more than a two (2) year period; that
23 previous General Assemblies have provided appropriations for the projects
24 provided or enumerated in this act; that certain appropriations will expire
25 before the adjournment of the General Assembly; and that if such
26 appropriations expire, the projects and programs authorized herein will cease
27 thereby depriving the citizens of the State of the benefits to be derived from
28 such projects. Therefore, an emergency is hereby declared to exist and this
29 Act being necessary for the immediate preservation of the public peace, health
30 and safety shall be in full force and effect from and after the date of its
31 passage and approval.

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