

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

As Engrossed: S2/11/99

# A Bill

SENATE BILL 299

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 - VARIOUS PROJECTS AND  
12 EXPENSES OF THE RED RIVER LEVEE REHABILITATION STUDY  
13 PROGRAM; AND FOR OTHER PURPOSES. "

## Subtitle

15 "AN ACT FOR THE SOIL AND WATER  
16 CONSERVATION COMMISSION - RED RIVER  
17 LEVEE REHABILITATION STUDY PROGRAM  
18 REAPPROPRIATION. "  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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### SECTION 1. REAPPROPRIATION - RED RIVER LEVEE REHABILITATION STUDY PROGRAM.

24 There is hereby appropriated, to the Soil and Water Conservation Commission,  
25 to be payable from the Red River Waterways Project Trust Fund, for the Soil  
26 and Water Conservation Commission, the following:  
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28 (A) Effective February 6, 1999, the balance of the appropriation provided  
29 in Section 1 of Act 103 of 1997, for expenses of a *navigation* feasibility  
30 study in conjunction with the Corps of Engineers on a cost sharing basis; the  
31 purchase of mitigation lands; and for acquisition of right-of-way and  
32 relocation of utilities for a levee rehabilitation project for the Red River,  
33 in a sum not to exceed ..... \$3,246,203.  
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35 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
36 obligations otherwise incurred in relation to the project or projects

\*JAD038\*

1 described herein in excess of the State Treasury funds actually available  
2 therefor as provided by law. Provided, however, that institutions and  
3 agencies listed herein shall have the authority to accept and use grants and  
4 donations including Federal funds, and to use its unobligated cash income or  
5 funds, or both available to it, for the purpose of supplementing the State  
6 Treasury funds for financing the entire costs of the project or projects  
7 enumerated herein. Provided further, that the appropriations and funds  
8 otherwise provided by the General Assembly for Maintenance and General  
9 Operations of the agency or institutions receiving appropriation herein shall  
10 not be used for any of the purposes as appropriated in this act.

11 (B) The restrictions of any applicable provisions of the State Purchasing  
12 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
13 Stabilization Law and any other applicable fiscal control laws of this State  
14 and regulations promulgated by the Department of Finance and Administration,  
15 as authorized by law, shall be strictly complied with in disbursement of any  
16 funds provided by this act unless specifically provided otherwise by law.

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

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

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31 SECTION 5. SEVERABILITY. If any provision of this act or the application  
32 thereof to any person or circumstance is held invalid, such invalidity shall  
33 not affect other provisions or applications of the act which can be given  
34 effect without the invalid provision or application, and to this end the  
35 provisions of this act are declared to be severable.

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1 SECTION 6. GENERAL REPEALER. All laws and parts of laws in conflict with  
2 this act are hereby repealed.

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4 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the  
5 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
6 prohibits the appropriation of funds for more than a two (2) year period; that  
7 previous General Assemblies have provided appropriations for the projects  
8 provided or enumerated in this act; that certain appropriations will expire  
9 before the adjournment of the General Assembly; and that if such  
10 appropriations expire, the projects and programs authorized herein will cease  
11 thereby depriving the citizens of the State of the benefits to be derived from  
12 such projects. Therefore, an emergency is hereby declared to exist and this  
13 Act being necessary for the immediate preservation of the public peace, health  
14 and safety shall be in full force and effect from and after February 6, 1999.

15 /s/ Russ  
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