

State of Arkansas  
85th General Assembly  
Regular Session, 2005

# A Bill

HOUSE BILL 1368

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS SOIL  
AND WATER CONSERVATION COMMISSION; AND FOR OTHER  
PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS SOIL AND WATER  
CONSERVATION COMMISSION REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT FUND. There is hereby appropriated, to the Arkansas Soil and Water Conservation Commission, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Arkansas Soil and Water Conservation Commission, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (C) of Section 1 of Act 71 of 2003, for water treatment, supply, distribution, storage systems and for irrigation and flood control projects, in a sum not to exceed .....\$22,939.

(B) Effective July 1, 2005, the balance of the appropriation provided in Item (D) of Section 1 of Act 71 of 2003, for safe water, sanitary sewage and solid waste disposal systems, in a sum not to exceed .....\$3,313.

(C) Effective July 1, 2005, the balance of the appropriation provided in



Item (F) of Section 1 of Act 71 of 2003, for a grant to fund a detailed engineering feasibility study for the Lake Boydsville Project in Clay County, in a sum not to exceed .....\$57,042.

(D) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 71 of 2003, for various Water Development Fund projects to assist local communities in the development of water supplies, distribution systems, drainage, flood control systems, and water resources research, in a sum not to exceed .....\$818.

(E) Effective July 1, 2005, the balance of the appropriation provided in Item (G) of Section 1 of Act 71 of 2003, for costs associated with the Osage Basin Wastewater System development to include preliminary engineering, environmental studies and acquisition of the treatment plant site, in a sum not to exceed .....\$17,261.

(F) Effective July 1, 2005, the balance of the appropriation provided in Item (I) of Section 1 of Act 71 of 2003, for costs associated with the Osage Basin Wastewater System development to include preliminary engineering, environmental studies and acquisition of the treatment plant site, in a sum not to exceed .....\$843.

(G) Effective July 1, 2005, the balance of the appropriation provided in Item (J) of Section 1 of Act 71 of 2003, for the Union County Conservation District for costs associated with an information, education and technical assistance program in the five county area of South Arkansas in which the Sparta Aquifer has been designated a critical ground water area, in a sum not to exceed .....\$3,668.

(H) Effective July 1, 2005, the balance of the appropriation provided in Item (K) of Section 1 of Act 71 of 2003, for costs associated with the Lake Boydsville Project, in a sum not to exceed .....\$33,790.

(I) Effective July 1, 2005, the balance of the appropriation provided in Item (L) of Section 1 of Act 71 of 2003, for the Arkansas Water Development Fund for various water supply, distribution, and research efforts, in a sum

not to exceed .....\$48,247.

(J) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 153 of 2003, for Soil Physics - Soils Digital Data, in a sum not to exceed .....\$300,000.

(K) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 1208 of 2003, for administrative costs associated with the White River Irrigation District, in a sum not to exceed .....\$363,986.

(L) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 489 of 2003, for state assistance to the Brushy Island Water District for upgrading of existing water pipes system, in a sum not to exceed .....\$100,000.

(M) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 1126 of 2003, for State assistance in the construction, equipping and improvements to the Soil and Water Conservation facility in Clark County, in a sum not to exceed .....\$48,552.

(N) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 457 of 2003, for administrative costs associated with the Bayou Meto Irrigation District, in a sum not to exceed ....\$348,552.

(O) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 234 of 2003, for the Arkansas Water Development Fund to provide financial assistance to communities allowing them to provide safe, affordable water to their citizens and commercial users, in a sum not to exceed .....\$11,000,000.

(P) Effective July 1, 2005, the balance of the appropriation provided in Item (B) of Section 1 of Act 234 of 2003, for the Arkansas Water, Sewer, and Solid Waste Management Fund to provide financial assistance to communities to fund safe, affordable water, sewage, and solid waste disposal, in a sum not to exceed .....\$9,000,000.

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 2 (Q) Effective July 1, 2005, the balance of the appropriation provided in  
 3 Item (C) of Section 1 of Act 234 of 2003, for the Water Resources Cost Share  
 4 Revolving Fund to provide funding to the state and its political subdivisions  
 5 to finance the non-federal share of their obligations in regard to a water  
 6 resources development project, in a sum not to exceed .....\$15,000,000.

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 8 (R) Effective July 1, 2005, the balance of the appropriation provided in  
 9 Item (D) of Section 1 of Act 234 of 2003, for the Drinking Water State  
 10 Revolving Fund to provide funding for various projects, in a sum not to  
 11 exceed .....\$5,000,000.

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 13 (S) Effective July 1, 2005, the balance of the appropriation provided in  
 14 Item (E) of Section 1 of Act 234 of 2003, for the Clean Water State Revolving  
 15 Fund to provide funding for various projects, in a sum not to exceed  
 16 .....\$5,000,000.

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 18 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
 19 obligations otherwise incurred in relation to the project or projects  
 20 described herein in excess of the State Treasury funds actually available  
 21 therefor as provided by law. Provided, however, that institutions and  
 22 agencies listed herein shall have the authority to accept and use grants and  
 23 donations including Federal funds, and to use its unobligated cash income or  
 24 funds, or both available to it, for the purpose of supplementing the State  
 25 Treasury funds for financing the entire costs of the project or projects  
 26 enumerated herein. Provided further, that the appropriations and funds  
 27 otherwise provided by the General Assembly for Maintenance and General  
 28 Operations of the agency or institutions receiving appropriation herein shall  
 29 not be used for any of the purposes as appropriated in this act.

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

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

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10       SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
11 Assembly, that the Constitution of the State of Arkansas prohibits the  
12 appropriation of funds for more than a two (2) year period; that previous  
13 General Assemblies have provided appropriations for the projects provided or  
14 enumerated in this act; that certain appropriations will expire before the  
15 adjournment of the General Assembly; and that if such appropriations expire,  
16 the projects and programs authorized herein will cease thereby depriving the  
17 citizens of the State of the benefits to be derived from such projects.  
18 Therefore, an emergency is hereby declared to exist and this Act being  
19 necessary for the immediate preservation of the public peace, health and  
20 safety shall be in full force and effect from and after the date of its  
21 passage and approval. If the bill is neither approved nor vetoed by the  
22 Governor, it shall become effective on the expiration of the period of time  
23 during which the Governor may veto the bill. If the bill is vetoed by the  
24 Governor and the veto is overridden, it shall become effective on the date  
25 the last house overrides the veto.