

State of Arkansas  
85th General Assembly  
Regular Session, 2005

# A Bill

SENATE BILL 221

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS  
DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER  
QUALITY MONITORING AND ASSESSMENT; AND FOR OTHER  
PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS DEPARTMENT OF  
ENVIRONMENTAL QUALITY - WATER QUALITY  
MONITORING AND ASSESSMENT  
REAPPROPRIATION.

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

### SECTION 1. REAPPROPRIATION - WATER QUALITY MONITORING AND ASSESSMENT.

There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Arkansas Department of Environmental Quality, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 156 of 2003, for contract services to complete the Total Maximum Daily Load (TMDL) for all impaired waters of the State to meet the water quality standards of the Federal Clean Water Act, in a sum not to exceed .....\$400,000.

### SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor



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

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

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

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28 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
29 Assembly, that the Constitution of the State of Arkansas prohibits the  
30 appropriation of funds for more than a two (2) year period; that previous  
31 General Assemblies have provided appropriations for the projects provided or  
32 enumerated in this act; that certain appropriations will expire before the  
33 adjournment of the General Assembly; and that if such appropriations expire,  
34 the projects and programs authorized herein will cease thereby depriving the  
35 citizens of the State of the benefits to be derived from such projects.  
36 Therefore, an emergency is hereby declared to exist and this Act being

necessary for the immediate preservation of the public peace, health and  
safety shall be in full force and effect from and after July 1, 2005.