

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 406

5 By: Senators J. Hendren, Hester
6 By: Representatives McCollum, McKenzie
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR CONTRACTUAL
10 SERVICES FOR THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL
11 QUALITY WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION
12 TO THOSE FUNDS APPROPRIATED BY ACT 254 OF 2018; AND
13 FOR OTHER PURPOSES.
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Subtitle

16 AN ACT FOR THE ARKANSAS DEPARTMENT OF
17 ENVIRONMENTAL QUALITY SUPPLEMENTAL
18 APPROPRIATION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby
25 appropriated, to the Arkansas Department of Environmental Quality, to be
26 payable from the Hazardous Substance Remedial Action Trust Fund, for
27 contractual services of the Arkansas Department of Environmental Quality
28 which shall be supplemental and in addition to those funds appropriated in
29 Section 13 of Act 254 of 2018, the following:
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31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2018-2019</u>
33 (01) CONTRACTUAL SERVICES	<u>\$20,000,000</u>

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35 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOAN.



1 Notwithstanding the provisions of Arkansas Code Annotated § 19-5-
2 501(b)(1)(C)(ii) and (D)(i), immediately upon the effective date of this act,
3 the director of the Arkansas Department of Environmental Quality is
4 authorized to request the Chief Fiscal Officer of the State to make a loan on
5 his or her books in the amount not to exceed ten million dollars
6 (\$10,000,000) from the Budget Stabilization Trust Fund to the Hazardous
7 Substance Remedial Action Trust Fund. Loan repayments shall be made from time
8 to time from any legal fund of the Arkansas Department of Environmental
9 Quality and the entire amount of the loan shall be repaid to the Budget
10 Stabilization Trust Fund by June 30, 2023.

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12 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
13 authorized by this act shall be limited to the appropriation for such agency
14 and funds made available by law for the support of such appropriations; and
15 the restrictions of the State Procurement Law, the General Accounting and
16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
17 Procedures and Restrictions Act, or their successors, and other fiscal
18 control laws of this State, where applicable, and regulations promulgated by
19 the Department of Finance and Administration, as authorized by law, shall be
20 strictly complied with in disbursement of said funds.

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

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31 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
32 Assembly, that funds provided by the General Assembly for the operations of
33 the Arkansas Department of Environmental Quality are, due to unforeseen
34 circumstances, insufficient for the Arkansas Department of Environmental
35 Quality to continue to provide essential governmental services; that the
36 provisions of this act will provide the necessary monies for the Arkansas

1 Department of Environmental Quality to continue such services; and that a
2 delay in the effective date of this Act could work irreparable harm upon the
3 proper administration and provision of essential governmental programs.
4 Therefore, an emergency is hereby declared to exist and this Act being
5 necessary for the immediate preservation of the public peace, health and
6 safety shall be in full force and effect from and after the date of its
7 passage and approval.

8 If the bill is neither approved nor vetoed by the Governor, it shall
9 become effective on the expiration of the period of time during which the
10 Governor may veto the bill. If the bill is vetoed by the Governor and the
11 veto is overridden, it shall become effective on the date the last house
12 overrides the veto.

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