

Stricken language will be deleted and underlined language will be added.
Act 345 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: S3/4/19
A Bill

SENATE BILL 406

By: Senators J. Hendren, Hester
By: Representatives McCollum, McKenzie

For An Act To Be Entitled

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

Subtitle

AN ACT FOR THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY SUPPLEMENTAL APPROPRIATION.

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

SECTION 1. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Substance Remedial Action Trust Fund, for contractual services of the Arkansas Department of Environmental Quality which shall be supplemental and in addition to those funds appropriated in Section 13 of Act 254 of 2018, the following:

ITEM	FISCAL YEAR
NO.	2018-2019
(01) CONTRACTUAL SERVICES	<u>\$20,000,000</u>

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



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

By October 15, January 15, April 15, and July 15 of each fiscal year the Arkansas Department of Environmental Quality shall report to Arkansas Legislative Council or Joint Budget Committee the status of hazardous waste cleanup efforts at the Trafalgar Road site in Bella Vista, Arkansas. The report shall include:

- a) all funds expended by each quarter of the fiscal year
- b) source of funds expended
- c) estimated total of funds to be expended
- d) expected date for completion of cleanup
- e) all efforts of cost recovery from responsible parties

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

SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget

manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that funds provided by the General Assembly for the operations of the Arkansas Department of Environmental Quality are, due to unforeseen circumstances, insufficient for the Arkansas Department of Environmental Quality to continue to provide essential governmental services; that the provisions of this act will provide the necessary monies for the Arkansas Department of Environmental Quality to continue such services; and that a delay in the effective date of this Act could work irreparable harm upon the proper administration and provision of essential governmental programs. 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 the date of its passage and approval.

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

/s/J. Hendren

APPROVED: 3/7/19